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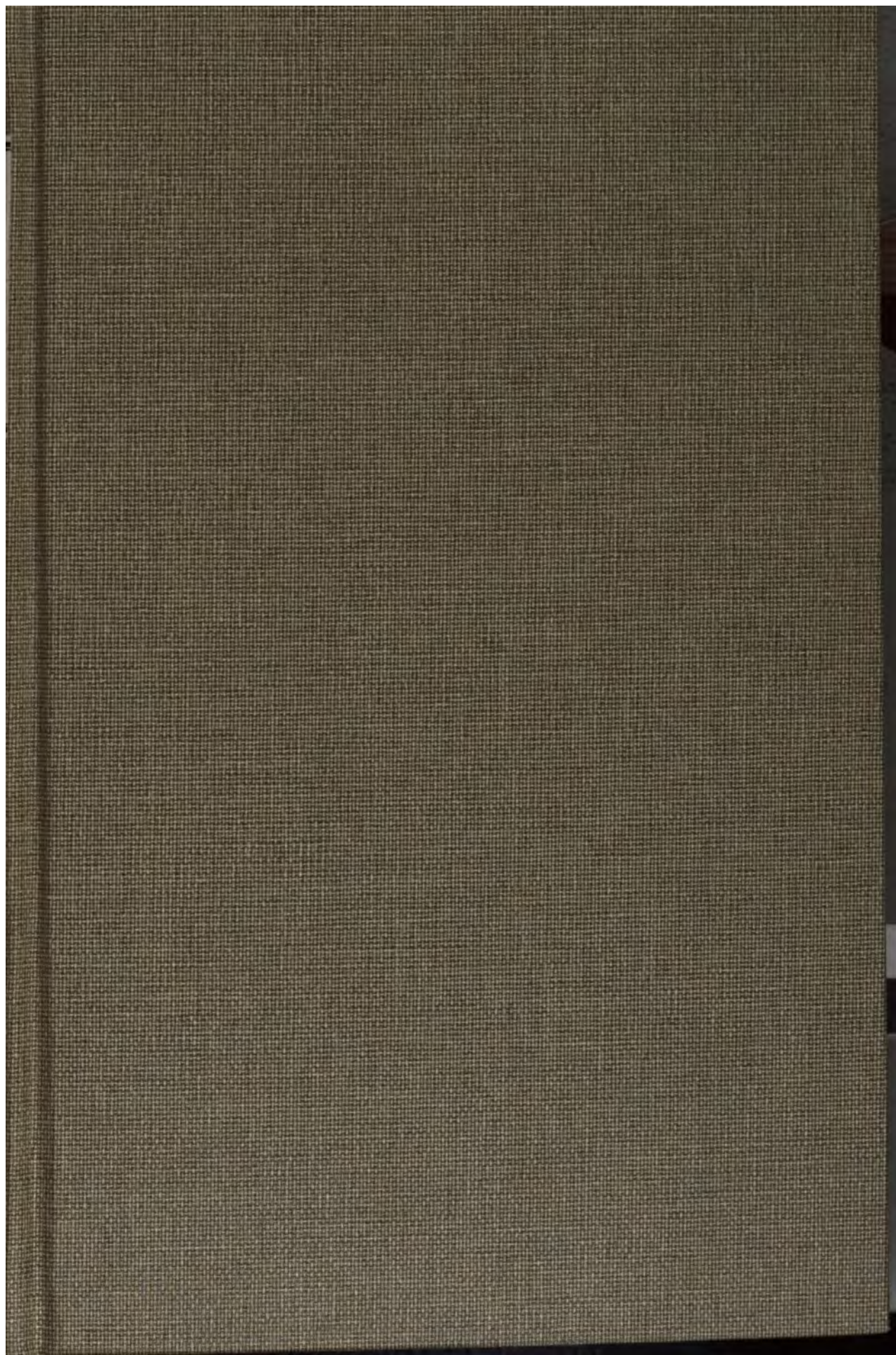
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**PRINCIPLES AND ACTS**  
**OF THE**  
**REVOLUTION IN AMERICA:**

OR, AN ATTEMPT

*TO COLLECT AND PRESERVE SOME OF THE*  
**SPEECHES, ORATIONS, & PROCEEDINGS,**

WITH SKETCHES AND REMARKS

ON

**MEN AND THINGS,**  
*AND OTHER POSITIVE OR NEGLECTED PIECES,*

BELONGING TO THE

**REVOLUTIONARY PERIOD IN THE UNITED STATES;**

WHICH, HAPPILY, TERMINATED IN THE

**ESTABLISHMENT OF THEIR LIBERTIES:**

WITH A VIEW

TO REPRESENT THE FEELINGS THAT PREVAILED IN THE "TIMES THAT TRIED,  
MEN'S SOULS," TO EXCITE A LOVE OF FREEDOM, AND LEAD THE PEOPLE  
TO VIGILANCE, AS THE CONDITION ON WHICH IT IS GRANTED.

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DEDICATED TO THE  
**YOUNG MEN OF THE UNITED STATES.**

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BY H. NILES.

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"Collecta revirescunt."

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BALTMORE:

PRINTED AND PUBLISHED FOR THE EDITOR, BY WILLIAM OGDEN NILES.

(PRICE THREE DOLLARS, IN SHEETS.)

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1833

U.S. 28345  
1049

Dec 28 \$3.50  
Donation Fund  
TO

# THE YOUNG MEN

OF THE

UNITED STATES,

THIS VOLUME OF

**REVOLUTIONARY PAPERS, SPEECHES, &c.**

**IS, RESPECTFULLY, DEDICATED;**

IN THE HOPE,

That they may be encouraged to adhere to simplicity of Truth,

AS SET FORTH BY THE

**PRINCIPLES AND ACTS OF THEIR FATHERS,**

AND EMULATE THE NOBLEST DEEDS WHEN THE

**LIBERTIES OF THEIR COUNTRY ARE ENDANGERED,**

BY FOREIGN ENEMIES OR DOMESTIC ENCROACHMENTS;

SO THAT

THE BLESSINGS WHICH THESE PATRIOTS WON

MAY DESCEND TO POSTERITY,

*And our Republic forever continue to be the Pride of Humanity, and an Asylum for the*

**OPPRESSED OF ALL NATIONS:**

BY THEIR SINCERE FRIEND,

**H. NILES.**

*Baltimore, April, 1822.*

## PREFATORY.

It is with unaffected diffidence, that the editor now presents his long-expected volume to the people of the United States, from an apprehension that its contents will not accord with the hopes entertained by those who felt interested in the publication. Self-love, or self-respect, seems to demand that some account of the origin and progress of this work should be submitted, that the real merits or demerits of the case may be understood.

On the 23d of November, 1816, a letter was published in the WEEKLY REGISTER, (of which the editor of this work is also the editor and proprietor). from an anonymous correspondent,\* from which the following is an extract:

"Among the patriots whose efforts have tended to give stability to our institutions, no one is more entitled to the best wishes of his fellow-citizens, and no one has rendered himself more honorably known, than yourself. The steady zeal with which you have prosecuted your valuable work, has made it as a light to the people, by which they see their true interests, and discover the certain means of preserving and improving their unparalleled freedom and its attendant blessings. I am satisfied that you take pleasure in an American offering you his thoughts on any subject of a public nature, however little merit may be in his suggestions. I am, therefore, led to propose to your consideration an undertaking, which no one is so well qualified to accomplish as yourself—it is to collect and print handsomely a volume of speeches and orations of our revolution: you can make the supplement to one of your volumes such a book. The present is a most propitious period; the feelings and sentiments of '76 were never so prevalent as at present. The moment and opportunity may pass and not immediately return; the events of the late war have imparted a glow of national feeling for every thing republican. Let us then avail ourselves of the circumstance to make some deep impression. What better impression can we make than by rendering the opinions and conduct of our fathers familiar? An opportunity for such a work exists now—which, we know, is but transient, as but six Americans who witnessed the great debate remain. Now, can a doubt arise that Mr. Jefferson, or Mr. Adams, or Mr. Thompson, would not take delight in furnishing materials?—the speeches themselves, and a view of the proceedings and different characters of the speakers. We have one selection of American speeches, made by a British emissary—if such men are to select our political lessons, I need not tell you what must be the opinions of the rising generation, nor of their certain degradation."

Then followed a promise to communicate sundry articles, and some hints of the writer to obtain others.

This letter was spread before the readers of the REGISTER to gather public sentiment on the subject, and form some opinion, through communications solicited, of the supply of materials that could be obtained, with very little prospect, at that time, of accomplishing the wishes of my correspondent, though there was not any want of zeal to satisfy them. I apprehended that the supply of matter would be short—for I had, myself, been an eager collector of such things for many years, and seemingly had some right to judge of the quantity that remained for edification and improvement, in a recurrence to first principles. But it soon appeared that many were desirous that the collection should be attempted, and certain distinguished persons held out flattering prospects of success, urging me forward by the presentation of motives which they were pleased to think had an irresistible influence on my conduct: but I still hesitated, because of the deficiency of materials, until January, 1819, when it was announced that the volume would be put to press in an address that contained the annexed remarks:

"It is much to be regretted that very few of the soul-stirring orations and speeches of the revolutionary period remain to claim the admiration of a blessed posterity: Still, some good things are left to us,—and, by a liberal enlargement of the plan originally proposed, we feel pretty confident of presenting an acceptable gift to the American people, by rescuing from oblivion a great variety of fleeting, scattered articles, belonging to the history of our country anterior to the sublime epoch of the revolution, during its continuance, and immediately after its glorious termination, whilst its feelings were fresh upon the heart and understanding of our heroes and sages. As heretofore observed, our collection of materials is somewhat extensive, our resources promise some rich additional supplies,—and no effort shall be left untried to increase our store: so that, on the whole, though the collection will, doubtless be defective, and, perhaps, not equal the expectations of some, we are consoled with a belief that it will not be unworthy of the patronage of an enlightened public—zealous to catch a "spark from the altar of '76," and prepared to enter into the spirit of past times.

"The volume will be slowly printed as the matter presents itself, and be concluded as soon as the nature of things will admit of—but shall not be hurried. Order in its arrangement can hardly be hoped for; but it will not, on that account, suffer much depreciation of value."

\*Since ascertained to be BENJAMIN ELLIOTT, esq. of Charleston, S. C. whose name I take the liberty to mention as the projector of the undertaking; and the merit of it belongs to him.



## PREFATORY.

.....

Still, it was not until September in the same year that a regular prospectus was offered, for I yet feared the want of matter, as well as the severe labor that I was sensible would become necessary to obtain it, if to be obtained at all. This prospectus contained these paragraphs:

"Believing, as we do, that the *simplicity of the truth*, as held forth by those who devised and executed the severance of this country from the power of a despot, has been widely departed from, no effort on our part shall be wanting to encourage a spirit to seek after and hold on to the principles which appear essential to the preservation of the rights and liberties of the people of the United States; under an assurance that *vigilance is the condition on which freedom is granted to us*. But we enter upon the undertaking before us with considerable diffidence—fearful of the want of a just discrimination, and also of time for research and reflection to do justice to the weighty concern. *It seemed however, to be imposed on us as a duty, and we will execute the task as well as we can.*

"The materials, though the stock is pretty large, are not yet sufficient for the extensive work contemplated. The editor of the REGISTER has, for several years, been a collector of scraps and rare things—several gentlemen have liberally contributed articles which they would not have parted with except on an occasion like this; and others have promised us liberty to overhaul their neglected stores of old papers: but much useful matter must be in the hands of those with whom we have not yet communicated on the subject; and every patriot is invited to give his aid to this collection, designed to record the *feelings* of "the times that tried men's souls." Letters may be sent to the editor at his cost for postage, and *originals* will be carefully returned, if requested. When copies from manuscripts are presented, it might be well to permit us to state the source from whence they were derived, if necessary."

The terms were also set forth—it was promised that the volume should contain between four and five hundred pages, and cost, in sheets, the sum of three dollars. A view to pecuniary profit was disavowed—it had nothing to do with the origin or progress of the work, and if a reasonable allowance for money and time expended is afforded by its sale, it will be as much as ever has been expected.

I had no sooner fairly committed myself than I regretted it—the patriots of the revolution did not make speeches to be unattended to by their brethren in congress and fill up the columns of newspapers\*. They only spoke when they had something to say, and preferred *acting to talking*—very unlike the legislators of the present time. I plainly saw that great difficulties would oppose themselves to the fulfilment of my promise— I feared that more was expected of me than any man could do—for the facts that were manifest to my mind could not be appreciated by all: my pride, (an honest one, I trust), was alarmed—but in obedience to a fixed rule that I have adopted for my own conduct, I resolved to meet the difficulty presented and conquer it by perseverance—if I could. To give some idea of the quantity of books and papers that have been looked into to effect this compilation, I think that I do not exaggerate when I say that they were sufficient to load a cart, and hours on hours have been spent in the service without the least profit. Perhaps, I was unlucky or unwise—that my attention was not directed to the proper sources; it may be so—but of this I am satisfied, that very few of the "soul-stirring" speeches of the revolutionary period remain to warm the hearts of a grateful posterity: they were pronounced to be *heard*, not *published*.

With this brief narrative, I submit the work to the liberality of my countrymen, American republicans—in the firm belief that, if I have not accomplished all that was *hoped* for by some, it will appear that others are agreeably disappointed; and I am satisfied that good will result from the publication of this collection: it will rescue from oblivion many things that were hastening to it, and lay the foundation, perhaps, of a more extensive and much more perfect work, which I shall always keep in my view.

In explanation it is necessary further to observe, that the leading object of this volume was to shew the *feelings* that prevailed in the revolution, not to give a *history of events*; hence, all matters of the latter class have been rejected, except as immediately necessary to shew the effects of feeling. The volume, also, might have been more acceptable if a greater degree of order had been observed as to dates, &c.; but it was almost impossible to approach regularity, in this respect, as well from the nature of things as from the occasional attention, only, that I was able to give to the work—but any inconvenience on this account is obviated by the copious index, or table of contents, prefixed. Two articles have been, unfortunately, inserted twice—but, as they are of an excellent quality, I shall not be sorry for it, if the error causes them to be twice read. Many notices of proceedings, &c. are given only to indicate the *general* conduct of the people on such occasions as they have reference to.

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\*The earl of Dartmouth asked an American in London, (whose name we cannot call to mind at present), of how many members the congress consisted? the reply was "fifty-two." "Why that is the number of cards in a pack," said his lordship—"how many *knaves* are there?" "Not one," returned the republican—"please to recollect that *knaves* are count cards!"

# INDEX.

- .....
- A.**
- Adams, John—letters to him from J. Palmer, J. Trumbull, R. Cranch, S. Cooper, &c. 322, 323; his letter to the editor, enclosing a copy of major Hawley's 'broken hints' 324; to gov. Bullock, July 1, 1776, 327; to Mr. Chase, same date, *ibid.*; to Mrs. Adams, July 3, 1776 328 329; respecting com. Tucker 413; Mr A when an ambassador, found as a private among the marines, 414
- Adams, Samuel, 477
- Address of the provincial congress of Massachusetts to the inhabitants of Great Britain, 205; to the independent sons of Massachusetts, 432—see the several states, &c.
- America, estimate of the military force of, 211
- American and French soldiers, their comforts, 345
- Andre, major, his affair with Arnold, 302
- Arms of the United States, a description of, 486
- Army of the revolution—statements of its force, condition, pay, &c. &c. 211, 433; voluntary contributions to support it, 486
- Arnold, at New London, 330; his character, 331; his letter to gen. Washington after his treason, 391; procession with his effigy, 391
- Asaph, St. the bishop of—his speech, 160
- Asgill, the case of. 317; letters of his mother, 318
- Austin, Jonathan W. his oration at Boston, 1778, 31
- B.**
- Bandole, M. l'abbé, his thanksgiving address on the capture of Cornwallis, 268
- Barlow's oration, 384
- Barney, capt. his fight with the General Monk, 361; further particulars, 414
- Barry, capt. mentioned, 415
- Boston, the town of—notice of many interesting things that occurred therein, 464, 468, 470, 471, 479 to 486 and 489; battle between the rope-makers and soldiers, 480; Whig club, 484; massacre of the 5th of March, with reflections, 481; persons proscribed at, 374
- "Boston orations"—in commemoration of the 5th of March, 1770, when a number of citizens were killed by a party of British troops, viz. by James Lovell, Joseph Warren, (two), Benj. Church, Jno. Hancock, Peter Thatcher, Benjamin Hitchborn, Jonathan W. Austin, William Tudor, Jonathan Mason, Thomas Dawes, jun. Geo. Richards Minot, and Thos. Welsh, 1 to 59
- Botta, Mr. extracts from his history 490
- Brackenridge's eulogium on those who had fallen in defence of their country, delivered 1779, 119
- Brandt, col. his incursion, 1779, 367
- Bullock, gov. a speech delivered by him 159
- Bunker's hill, incidents of the battle at, 471
- Burgoyne, gen. his correspondence with gen. Lee, 206; his thundering proclamation, 1777, 262; laughing reply thereto, 263; proposals for his exchange, humorous, 264
- Burke, Edmund, his great speech in favor of conciliation with the colonies, 1775, 223 to 248
- Bushnell's machine, 469
- C.**
- Canada, address to the people of 425
- Carpenters' Hall, a speech delivered at 202
- Champe, John, interesting history of 300
- Champlain—American and British forces on 430
- Charges, judicial—of John Jay, 1777, 62; W. H. Drayton 72, 81, 92
- Charleston, proceedings at on arrival of stamps 467
- Chatam, lord—a speech delivered by him on the sovereignty of Great Britain, 189; do. to re-
- move the troops from Boston, 211; his speech on lord Suffolk's proposition to employ the savages, 276; his remarks on the declaration of independence 371
- Cheeseman, capt. his gallantry at Quebec 370
- Christie, James, banished from Maryland 222
- Church, Benjamin, his oration at Boston, 1773, 8
- Churches, destruction of 361
- Clarke, gen. George Rogers, an instance of his astonishing firmness 380
- Confederation, Drayton's speech on the articles of and his project of a new bond of union, 98, 104
- Congress—Virginia delegates to 201; meeting of 297; address to the inhabitants of the United States, 1779, 407; held at New-York, in 1765, 451; manifesto of, 1778 475
- Connecticut—gov. Trumbull's reply to W. Tryon 210; his letter to gov. Gage, 437; revolutionary pensioners of, highly interesting, 363, 364; election sermon 476
- Conscience, Livingston's remarks on liberty of, 306
- Contributions, (voluntary), to furnish supplies for the army 486
- Cornwallis—address of the abbe Bandole on his capture, 268; a letter from gen. Washington, as to the plans laid to capture him, 272; extract from Wrazall's memoirs respecting his surrender, 277; further particulars 345, 363
- Court martial on a spy 369
- Cropper, gen. notice of his services and death 416
- Cunningham, the infamous capt. his confession 274
- D.**
- Dartmouth, the earl of—a letter addressed to 144
- Davis, col. his journal kept at Yorktown 465
- Dawes, Thomas, his oration at Boston, 1781, 47
- Declaration of rights, the draught of Geo. Mason, of Va. 123; of independence in Mecklenburg, N. C. 1775, 132, 135
- Delaware: petition to establish a militia, 1775, 257; letter from Dr. Tilton to Dr. Elmer on the state of things. 1775, 257; correspondence of the same, respecting toriyism in Sussex co. 258, 259; letter of Z. G. to the committee at Dover, 257; proceedings of the committee respecting certain tea, 258; of the same, with the satisfaction tendered to them, on account of a disaffected article published, 260; arrest of a member of the legislature, by the light infantry company of Dover, and proceedings thereon, 261; correspondence of Caesar and Thomas Rodney, &c. 338—345
- Delaware river, passage of 361
- Drayton, Wm. Henry, charges delivered by him in 1776, 72, 81, 92; his speech in the general assembly, 1778, 98; his project, 104; his address to lord Howe and gen. Howe 115
- Drayton's memoirs, an extract from 467
- Dickinson, John, a letter from him, 1779, 343; his speech in congress 493
- Dunmore, lord, his letter to gen. Howe, 1775, 138; his wicked proclamation, 1775 373
- E.**
- Effingham, lord, resigns his command in the British army, &c. 421
- Ellery, William, one of the signers of the declaration of independence 415
- Estaing, the count de—his declaration in the name of the king, to the ancient French in America 408
- Eulogium, by judge Brackenridge, (1779) on those who had fallen in the contest with Great Britain 119
- Exports, resolves in Virginia respecting 198

# INDEX.

- F.**  
 Farmer, John, his letter to the editor 326  
 Fayette, the marquis de la—an address to him from the citizens of Baltimore and reply 393  
 Female patriotism, 305; do. pensioner for services in the revolutionary army, 417; at Bristol, Penn. 420  
 Franklin, Dr. extracts from several of his letters, 313; his letter to lord Howe, 315; his introduction to the French academy, 316; Jefferson's letter respecting him, 317; his letter to the people of Ireland, 1778—384; his remarks on holding Canada as a 'check' 487  
 French—D'Estaing's address to those in North America 406
- G.**  
 Gage, gen. his proclamation offering pardon to all but Adams and Hancock, 136; his correspondence with gen. Washington, on the usage of prisoners, 266; reply to gov. Trumbull 438  
 Gardner, col. at the battle of Bunker's hill 370  
 Gates, gen. pleasing instance of his gratitude 276  
 Georgia—speech of gov. Bullock to the provincial congress, 1776 159  
 Germans, (old) of Penn. form a company 420  
 Germantown—anecdote of a brave fellow in the battle of 371  
 Gordon's history, curious particulars respecting 483  
 Green, gen. to gen. Lacey 334
- H.**  
 Hale, captain Nathan 331, 366  
 Hancock, John, his oration at Boston, 1774, 12; circumstances that attended its delivery 464  
 Hand, col. his reply to col. Mawhood 463  
 Haslett, col. a letter of his, Oct. 5, 1776, 341  
 Hawley, major, his 'broken hints,' 1774, 324; a very interesting letter from him, 1780 374  
 Henry, Patrick—see 'Virginia': his famous declaration, 'we must fight,' referred to, 324; his oratory noticed 471  
 History of John Bull's children 320  
 Hitchborn, Benj. his oration at Boston, 1777, 26  
 Howe, lord and gen.—their 'declaration' in 1776, and remarks thereon by 'a Carolinian' 115  
 Humiliation and prayer, a day set apart for 377  
 Hunter, Mr. of S. C. his daring escape 372  
 Hutchinson, gov.—see 'Massachusetts.'  
 Hyder Ali, the 361
- I.**  
 Importations of British goods, proceedings respecting in Maryland, 167, 169; do in Va. 198  
 Indians, incursions of, under col. Brandt 367  
 Instructions of Va. to her delegates in congress, 201  
 Insurance, rates of in England, 1776 432  
 Ireland—address to the people by Dr. Franklin, 382
- J.**  
 Jasper, sergeant—a noble fellow 303  
 Jay, John, a charge delivered by him in 1777 62  
 Jefferson, Thomas, letters from him in 1775, 311; respecting Franklin 317  
 Jersey prison ship, noticed 477  
 Johnston, gov. speech on the Boston port bill 191  
 'John Bull's children,' the history of 320  
 Jones, Paul, anecdotes of him, and his letter to lady Selkirk 378
- K.**  
 Kosciusko—an eulogium upon him 474
- L.**  
 Lacey, gen. his correspondence with the commander in chief and others, when Philadelphia was possessed by the British, 333; surprised by the enemy 334  
 Ladd, Dr. extract from one of his orations 399  
 Ledyard, col. and others—of their fate, &c. at New London 339  
 Lee, gen. his correspondence with gen. Burgoyne, 206; letter to the same, 423; the oath exacted by him in Rhode-Island 427  
 Lee, Richard Henry, his speech in congress 490  
 Lee, captain Ezra, desperate valor of 469  
 Letter from a lady to a British officer 305; from Philadelphia, 1774, to a member of parliament, 418; another from Massachusetts to a friend in London, *ibid*; another from Philadelphia, 1775, 420; from Charleston, 1775, 423  
 Lexington, the battle of, mentioned in a letter from a lady, 305; some curious particulars of the affair, 326; receipt of the news 470  
 Livingston, gov. of New-Jersey, his able and spirited reply to gen. Robertson, 268; his speech to the legislature, 1777, 270; his remarks on the liberty of conscience 306  
 Livingston, Dr. extract from one of his sermons 362  
 Lovel, James, his oration at Boston, 1771, 1  
 Loyalists—see 'Tories.'
- M.**  
 MacFingal, an extract from 273  
 Manufactures, &c. recommended, 181, 182, 184, 198, 202, 369, 445; humorous article about 321  
 'Marine Turtle' 469  
 Marion, gen. his bardy escape from the enemy 377; anecdotes and adventures 488  
 Martin, gov. of N. Carolina, his proclamation, 134  
 Maryland—a letter from addressed to the earl of Dartmouth, 144; various proceedings respecting the importation of British goods, 1769, 167; do. in relation to the Boston port bill, 172, 173; patriotic recommendations for a meeting of deputies respecting manufactures and home industry, 181; case of James Christie, 222; address to count Rochambeau, 398; address of the general assembly to the people, 1780 411  
 Mason, Jonathan, his oration at Boston, 1780 41  
 — George, of Va.—many interesting particulars of, with a copy of his draught of a declaration of rights, and extracts from several of his letters 123  
 Massachusetts—gen. Gage's proclamation, 1775, 136; proclamation of the general court, Jan. 1776, 142; address of the legislature to gen. Washington and his reply, 143; Boston instructions, 156; Malden do. 156; proceedings at Harvard college, 158; proceedings about the Boston port bill, 172, 173, 174, 179, 180, 191; recommendations respecting manufactures and home industry, 182; parliamentary proceedings respecting the civil government of the colony, 1774, 194; address of the provincial congress to the inhabitants of Great Britain, 205; gov. Hutchinson's speech to the legislature, 1773, 279; answer of the house of representatives, 287; address to the people by the same, 253; resolutions adopted May 28, 1773, 294; letter to the speakers of the assemblies of other colonies, 295; proceedings in respect to certain letters, 295; extract from the governor's message and reply, Jan. 1774, 296; message to gov. Gage, same year, 297; address of the provincial congress, Dec. 1774, 298; refusal of a jury to be impanelled, 319; Hutchinson's *disade et impera* 420; recruiting service, 423; address to the inhabitants of, 432; address of the provincial congress to the people of Great Britain, 1775, 434; gov. Gage deposed, 435; proclamation for a public thanksgiving, 436; test act, (1776) 436

# INDEX.

- Mawhood, a British col. his proposition and the reply to it 463  
Memento to Americans, 1776 427  
Minot, George Richards, his oration at Boston, 1782 52  
Military force of America 211  
Montague, admiral, and a collier 485  
"Mohawk Indians," who destroyed the tea at Boston 326  
Morton, Perez, his oration on the re-interment of the remains of Warren 59
- N.
- New-Hampshire—patriotic proceedings, and address to the people, 1775 184  
New-Jersey—vote of censure on gov. Franklin, and an address to the people, 1776, 154; gov. Livingston's correspondence with gen. Robertson, 268; speech of the same to the legislature, 1777, 270; money in the public treasury *appropriated*, 420; instructions to the delegates in 1777, 461; cols. Mawhood and Hand 463  
New-London, the attack upon and savage murders at, by Arnold, &c. 330  
New-York—John Jay's charge, (1777) 62; address from the legislature to their constituents, 1781, 128; proceedings on the Boston port bill, 174; association of the sons of liberty, 1773, 188; letter from the committee to the mayor, &c. of London, 439; names of the committee, 441; address of the provincial congress to gen. Washington, (1775), and reply, 441; address of the mechanics to the delegates in the colonial congress, 441; resolve respecting the resignation of commissions, 444; about civil suits of law, 444; proceedings for the encouragement of domestic manufactures, 445; on the request of the Baptists for the liberty of preaching to the troops, 446; address to gen. Washington and gov. Clinton, on the evacuation of the city by the British, and replies 477  
North-Carolina—declaration of independence in Mecklenburg county, 1775, 132; royal proclamation of gov. Martin, 1780, 134; address of the provincial congress to the inhabitants of the British empire, 248; reply of the same to gov. Martin's speech 447
- O.
- Old men's company 420  
Orations—see 'Boston Orations'—also 'Eulogiums and speeches.' Perez Morton's on the re-interment of the remains of Warren 59; David Ramsay's, at Charleston, 1778—64; Barlow's 384
- P.
- Parliament, British—bishop of St. Asaph's speech 160; lord Chatham's as to the sovereignty of G. B. over the colonies 189; gov. Johnston's on the Boston port bill 191—of sundry persons (see 'speeches'); on the civil government of Massachusetts 194 to 198; examination of gov. Penn, in the house of lords 249; speech of John Wilkes 345; of capt. Harvey 347  
Payson, the rev. Mr. in battle! 419  
Pemberton, James, and others—their remonstrance 255  
Pendleton, judge—his charge to grand jurors in S. C. 1787 404  
Penn, Mr. his examination in the house of lords, 1773 249
- Pennsylvania—Brackenridge's eulogium 119; proceedings at Philadelphia about ~~east~~ teas imported 170; address of a convention of county committees, 1774, 175; proceedings on the Boston port bill 179; speech delivered at Carpenter's Hall 202; declaration of the deputies, June 24, 1776, 252; remonstrance of James Pemberton and others, confined in the free mason's lodge, Sept. 4, 1777, 255; transactions in the neighborhood of Philadelphia 333 to 335; address of the deputies of the colony to the people, June, 1776—379; ordinance defining treason 417; Old men's company 420; act respecting persons scrupulous of bearing arms, *ib.* on the monopoly of salt 431  
Pensioners, revolutionary, anecdotes of 363, 364; female 417  
Petition of the Americans residing in London 332  
Philadelphia—original details of events while the British occupied this city 333; glorious act of gratitude of a sheriff 363; ancient state of things at 471  
Prisoners, the treatment of at New York, by Cunningham 274  
Privateers 376, 432  
Prizes 432  
Proclamation of the royal gov. Martin of N. Carolina 134; of gen. Gage at Boston, offering pardon to all but Hancock and Adams'—136; by the general court of Massachusetts Bay, 1776, 142; of gen. Washington at Boston, 1776, 143; of lord Dunmore, 1775, 373; of congress for a day of fasting, humiliation and prayer, 1776, 377; another 392; of gen. Washington on the bombardment of New York 434  
Proscriptions at Boston 374  
Putnam, gen. anecdote of 419
- Q.
- Quakers of Pennsylvania 334
- R.
- Ramsay, Dr. David, his oration on independence, 1778 64  
Randolph, Peyton, his death 471  
Reed, gen. Joseph, to H. W. esq. 1780 335  
Retaliation—case of Asgill 317  
Retaliatory measures recommended by congress, 1778 370  
Rhode Island—oath exacted of the people of by gen. Lee 427  
Robertson, gen. his correspondence with gov. Livingston respecting certain traitors 268  
Rochambeau, count de—addressed by the people of Baltimore and the general assembly of Maryland, with his replies 397  
Rodgers, Dr. extract from one of his sermons 361  
Rodney, Caesar—collections from his papers 335; letters from him 339, 340  
— Thomas, letters from him 341, 342, 343, 344  
Rush, Dr. his address to the people of the United States—"the revolution is not over," 1787 404  
Rutledge, gov. of S. C. his speech to the legislature, 1776 152
- S.
- Salem privateers—a complete list of 376  
Salt, on the scarcity of 431  
Sea fight—an account of the first fought in the revolution 370  
Sedition—an act of S. Carolina respecting 150  
Sermon, Dr. Smith's at Philadelphia, 1775, 215; extract from Dr. Rodgers on the destruc-



# INDEX.

- of the churches during the war, &c. 361; extract from one delivered by president Stiles 473
- Slaves, resolves respecting the importation of 198
- Smith, rev. Dr. his sermon 215
- Soldier's daughter, narrative of a 471
- South Carolina—Dr. Ramsay's oration 64; judge Drayton's charge 72; others by the same 81. 92; presentments by a grand jury in 1776. 79; other presentments 91. 97; judge Drayton's speech in the general assembly, 1778, 98; an act to prevent sedition and punish in surgents, &c. 150; governor Rutledge's speech, 1776, and reply of the legislature 152; resolves 154; thanks to Messrs. Middleton and Rutledge 157; escape of Mr. Hunter 371; judge Pendleton's charge 404; address to the gov. lord William Campbell 449; resolves against the town of Poole and about absentees 450; association of the members of the provincial congress 450; reception of stamps 467
- Speech—of judge Drayton on the articles of confederation, 1778. 98; of gov. Rutledge to the legislature and reply of the same 152; of gov. Bullock to the provincial congress of Georgia, 1776. 159; of the bishop of St. Asaph, in the house of lords, 1774. 160; of lord Chatham, 1774, 189; of gov. Johnston, same year, 191; ditto of Mr. Fuller, sir George Sackville, Mr. Ellis, gen. Conway, lord North, sir George Young, gov. Johnston, Mr. Harris, sir Edward Ashley, Mr. Ward, gov. Pownall, Mr. Rigby, Mr. Fox, sir Gilbert Elliott and sir Richard Sutton, in parliament, on the civil government of Massachusetts 194; delivered at Carpenter's Hall, Philadelphia, 1775, 202; of the earl of Chatham, on removing the troops from Boston (1775) 211, of John Wilkes, 1775, 345; of capt. Harvey 347; fragment of one delivered in congress, spirited 423; of a farmer to his neighbors 428; another fragment of a speech 431; of R. H. Lee and John Dickinson, in congress, from "Botta's revolution" 490 to 495
- Spy, executed, by order of gen. Sullivan 369
- Stamp-act-congress, the proceedings of, at length 451
- Stoney Point—Wayne's orders previous to the capture of 275
- Strong measures recommended, 1778 370
- Sullivan, gen. extract from his orderly book 369
- Synod of New York and Philadelphia 421
- ## T.
- Tarring and feathering—a Yankee trick, &c. 273; case of Malcom and an instance of its practice by the British 482
- Tea—proceedings respecting the importation of 170, 198; destroyed at Boston 326; anecdote about its use 380; song made on its destruction 470; some particulars of the affair 485
- Thatcher, Peter, his oration at Boston, 1776, 23
- Thompson, Charles—his introduction as secretary to congress 470
- Ticonderoga, capture of, returns, &c. 373
- Tilton, Dr. see Delaware: his letter from Williamsburg, Dec. 1781 345
- Tories, declaration and address to the British king, 1781 393
- Treason, law declaratory of it 417
- Trumbull, gov. his correspondence with W. Tryon on 210; with gen. Gage 437
- Tryon, William, his letter to gov. Trumbull and reply 210
- Tucker, commodore, interesting particulars of him 413
- Tudor, William, his oration at Boston, 1779 36
- Tusten, Dr. a sketch of 367
- Tyrannicide, the—the first vessel built for the naval service of the U. S.—her battles, &c. 370
- ## V.
- Virginia—interesting facts of George Mason—his declaration of rights, and sundry letters 123; Dunmore's letter to Howe 138; proceedings in the convention thereon 139; copy of the oath extorted by Dunmore 141; proceedings at Norfolk on the Boston port bill 180; do. at Williamsburg, Fredericksburg, Hanover, &c. on the removal of certain arms and munitions of war, 1775, 186; association respecting the import of British goods, slaves, teas, &c. and recommending manufactures 198; instructions to the delegates to congress 201; do. to the delegates of Cumberland county 211; further instructions to the delegates in congress—respecting a bill of rights—toasts drank and the Union flag unfurled, May 15, 1776, 251; debate on Henry's motion to put the colony in a state of defence, 1775 307; the people called to arms. 1779, 381; the test of 1776, 446; instructions to Messrs. Lewis and Boyer 446
- ## W.
- Warren, Dr. Joseph—his oration at Boston 1772, 4; another, in 1775, 17; notice thereof 468; oration on the re-interment of his remains 59; eulogium upon him 349
- Washington—his proclamation on taking possession of Boston, 1776. with the address of the assembly and his reply 143; the honors of Harvard college conferred on him 158; his correspondence with gen. Gage on the usage of prisoners 266; his letter explaining the plans laid respecting Cornwallis 273; Miss Beward's lines upon 303; correspondence with gen. Lacey 333; interesting letters to C. Rodney, respecting exchanges, want of clothing, violations of parole, and want of food 335, 337, 338; to congress shewing his embarrassments, Jan. 1780, 337; acceptance of the command of the army 350; his letter to congress, 1776, 350; general orders, 1783, 353; circular to the states, 1783 354; resignation of his command 359; first speech to congress under the constitution 359; his orders to gen. Sullivan, on passing the Delaware 361; in want of a pen knife 369; address to the inhabitants of Canada 423; his proclamation on the bombardment of New York 434; addressed at New York 477
- Wayne, gen. his orders previous to the attack on Stoney Point 275
- Weight of several great men in the revolution 376
- Welsh, Thomas, his oration at Boston, 1783 55
- Woman, sentiments of an American, 1780 389
- Wrayall's memoirs, an extract from respecting the surrender of Cornwallis 277
- ## Y.
- Yankee doodle—the occasion on which the air was first played in the United States 372
- Yorktown, interesting particulars of affairs at 345, 362; additional 371; extracts from a journal kept at the siege of 465

# PRINCIPLES AND ACTS

## OF THE

# REVOLUTION, &c.

### Boston Orations.

ORATIONS DELIVERED AT THE REQUEST OF THE INHABITANTS OF THE TOWN OF BOSTON, TO COMMEMORATE THE EVENING OF THE 5TH OF MARCH 1770; WHEN A NUMBER OF CITIZENS WERE KILLED BY A PARTY OF BRITISH TROOPS, QUARTERED AMONG THEM, IN TIME OF PEACE.

[These orations were first collected and published in a volume, by *Mr. Peter Edes* of Boston, printer, son of the *Mr. Edes* of that town whose press was so notorious for its fearless devotion to the liberties of America; both before the revolution commenced and during the time of its continuance.]

TO THE INHABITANTS OF THE TOWN OF BOSTON.

I hope my collecting, in one volume, the following orations, which were first severally printed at your request, but many of which have been long since not to be purchased, will be considered in the mild light of an attempt to please the public.

Americans have been reprehended for not preserving, with sufficient care, the various pamphlets and political tracts which this country has afforded during the late war.

Many of those productions which appear trite to us, who live on the spot where they grew, may, however, be considered as sources of curiosity to strangers. Many of these orations have been considered as the sentiments of this metropolis, from time to time, touching the revolution; and as our earliest public invectives against oppression.

As the institution of an oration upon the fifth of March is now superseded by the celebration of the anniversary of independence, upon the fourth of July, I have given to this volume a general title, which will apply to both institutions: so that if hereafter there shall be a like volume, containing the orations of that anniversary, this may be considered the first and that the second volume of Boston orations.

I am, with the greatest respect, your obedient  
humble servant,

PETER EDES.

*Boston, January, 1785.*

—1.

ORATION, DELIVERED AT BOSTON, APRIL 2, 1771,

BY JAMES LOVELL, A. M.

*Omnes homines natura Libertati student conditionem  
Sed virtutis oderunt.* Cæ.

—*Nunc ea peti, quæ dare nullo modo possumus, nisi  
prius volumus nos bello victos confiteri.* Cic.

Your design in the appointment of this ceremony, my friends and fellow-townsmen, cannot fail to be examined in quite different lights at this season of political dissection. From the principles I profess, and in the exercise of my common right to judge with others, I conclude it was *decent, wise, and honorable.*

The certainty of being favored with your kindest partiality and candor, in a poor attempt to execute the part to which you have invited me, has overcome the objection of my inability to perform it in a proper manner; and I now beg the favor of your animating countenance.

The horrid bloody scene we here commemorate, whatever were the causes which concurred to bring it on that dreadful night, must lead the pious and humane, of every order, to some suitable reflections. The pious will adore the conduct of that *axius* who is unsearchable in all his ways, and without whose knowledge not a single sparrow falls, in permitting an immortal soul to be hurried by the flying ball, the messenger of death, in the twinkling of an eye, to meet the awful Judge of all its secret actions. The humane, from having often thought, with pleasing rapture, on the endearing scenes of social life, in all its amiable relations, will lament, with heart felt pangs, their sudden dissolution, by indiscretion, rage and vengeance.

But let us leave that shocking close of one continued course of rancor and dispute, from the first moment that the troops arrived in town: that course will now be represented by your own reflections to a much more solid, useful purpose, than by any artful language. I hope, however, that heaven has yet in store such happiness for this afflicted town and province, as will in time wear out the memory of all your former troubles.

## PRINCIPLES AND ACTS OF THE REVOLUTION.

I sincerely rejoice with you in the happy even of your steady and united effort to prevent a second tragedy.

Our fathers left their native land, risked all the dangers of the sea, and came to this then savage desert, with that true undaunted courage which is excited by a confidence in God. They came that they might here enjoy themselves, and leave to their posterity the best of earthly portions, full *English liberty*. You showed upon the alarming cause for trial, that their brave spirit still exists in vigor, though their legacy of right is much impaired. The sympathy and active friendship of some neighboring towns, upon that sad occasion, commands the highest gratitude of this.

We have seen and felt the ill effects of placing standing forces in the midst of *populous* communities; but those are only what individuals suffer. Your vote directs me to point out the fatal tendency of placing such an order in *free cities*—fatal indeed! *Athens* once was free; a citizen, a favorite of the people, by an artful story, gained a trifling guard of fifty men; ambition taught him ways to enlarge that number; he destroyed the commonwealth and made himself the tyrant of the *Athenians*. *Cesar*, by the length of his command in *Gaul*, got the affections of his army, marched to *Rome*, overthrew the state, and made himself perpetual dictator. By the same instruments, many less republics have been made to fall a prey to the devouring jaws of tyrants.—But this is a subject which should never be disguised with figures; it chooses the plain stile of dissertation.

The true strength and safety of every commonwealth or limited monarchy, is the bravery of its freeholders, its militia. By brave militias they rise to grandeur; and they come to ruin by a mercenary army. This is founded on historical facts, and the same causes will, in similar circumstances, forever produce the same effects. Justice *Blackstone*, in his inimitably clear commentaries, tells us, that “it is extremely dangerous in a land of liberty, to make a distinct order of the profession of arms; that such an order is an object of jealousy; and that *the laws and constitution of England are strangers to it.*” One article of the bill of rights is, that the raising or keeping a standing army within the kingdom in a time of peace, unless it be with consent of parliament, is against law. The present army, therefore, though called the *peace establishment*, is kept up by one act, and governed by another; both of which expire annually. This circumstance is valued as a sufficient check

upon the army. A less body of troops than is now maintained has, on a time, destroyed a king, and fought under a parliament with great success and glory; but, upon a motion to disband them, they turned their masters out of doors, and fixed others in their stead. Such wild things are not again to happen, because the parliament have power to stop payment once a year: but *arma tenenti quis neget?* which may be easily interpreted, “who will bind *Sampson* with his locks on?”\*

The bill which regulates the army, the same fine author I have mentioned, says, “is, in many respects, hastily penned, and reduces the soldier to a state of slavery in the midst of a free nation. This is impolitic: for slaves envy the freedom of others, and take a malicious pleasure in contributing to destroy it.”

By this scandalous bill a justice of peace is empowered to grant, *without a previous oath* from the military officer, a warrant to break open any (freeman's) house, upon *pretence* of searching for deserters.

I must not omit to mention one more bad tendency: 'tis this—a standing force leads to a total neglect of militias, or tends greatly to discourage them.

You see the danger of a standing army to the cause of freedom. If the British parliament consents from year to year to be exposed, it doubtless has good reasons. But when did our assembly pass an act to hazard all the property, the liberty and lives of their constituents? what check have we upon a *British* army? can we disband it? can we stop its pay?

Our own assemblies in *America* can raise an army; and our monarch, *George the 3d*, by our constitution, takes immediate command. This army can consent to leave their native provinces. Will the royal chief commander send them to find barracks at *Brunswick* or *Lunenburg*, at *Hanover*, or the *commodious hall of Westminster*? suppose the last—suppose this army was informed, nay thought the parliament in actual rebellion, or only on the eve of one, against their king, or against those who paid and clothed them—for there it pinches—we are rebels against parliament;—we adore the king.

Where, in the case I have stated, would be the value of the boasted English constitution?

Who are a free people? not those who do not suffer actual oppression; but those who have a constitutional check upon the power to oppress.

\*Trenchard.

## PRINCIPLES AND ACTS OF THE REVOLUTION.

We are slaves or freemen: if as we are called the last, where is our check upon the following powers, *France, Spain*, the states of *Holland*, or the British parliaments? now if any one of these (and it is quite immaterial which) has right to make the two acts in question operate within this province, they have right to give us up to an unlimited army, under the sole direction of one *Saracen* commander.

Thus I have led your thoughts to *that* upon which I formed my conclusion, that the design of this ceremony was *decent, wise* and *honorable*. Make the bloody 5th of *March* the era of the resurrection of your birthrights, which have been murdered by the very strength that nursed them in their infancy. I had an eye *solely* to parliamentary supremacy; and I hope you will think every other view beneath your notice, in our present most alarming situation.

Chatham, Camden, and others, Gods among men, and the *Farmer*, whom you have addressed as the friend of mankind; all these have owned that *England* has right to exercise every power over us, but that of taking money out of our pockets, without our consent." Though it seems almost too bold therefore in us to say "we doubt in every single instance her *legal* rights over this province,"† yet we must assert it. Those I have named are mighty characters, but they wanted one advantage Providence has given us. The beam is carried off from our eyes by the flowing blood of our fellow-citizens, and now we may be allowed to attempt to remove the mole from the eyes of our exalted patrons. That mote, we think, is nothing but our obligation to *England* first, and afterwards *Great Britain*, for constant kind protection of our lives and birthrights against foreign danger. We all acknowledge that protection.

Let us once more look into the early history of this province. We find that our *English* ancestors, disgusted in their native country at a legislation, which they saw was sacrificing all their rights, left its jurisdiction,‡ and sought, like wandering birds

\*Taxation and representation are inseparable.  
Chath Cambd.

From what in our constitution is representation not inseparable!—multa a Crasso divinitus dicta efferebantur, cum sibi illum, consulem esse negaret cui senator ipse non esset.  
Cic.

†I confine myself to this province, partly from ignorance of other charters; but more from a desire even to *rex* some abler pen to pursue the idea of *Cæsar*; which an unchartered *freeman* may do, as well as any other in *America*.

‡Hæc sunt enim fundamenta frmissima nostre libertatis, sui quemque juris et retinendi et dimittendi esse dominum.  
Cic.

of passage, some happier climate. Here at length they settled down. The king of *England* was said to be the royal\* landlord of this territory; with him they entered into mutual, sacred compact, by which the price of tenure, and the rules of management, were fairly stated. It is in this compact that we find our ONLY TRUE LEGISLATIVE AUTHORITY.

I might here enlarge upon the character of those first settlers, men of whom the world was little worthy; who, for a long course of years, assisted by no earthly power, defended their liberty, their religion, and their lives, against the greatest inland danger of the savage natives: but this falls not within my present purpose. They were secure by sea.

In our infancy, when not an over tempting jewel for the *Bourbon* crown, the very name of *England* saved us; afterwards her fleets and armies. We wish not to depreciate the worth of that protection. Of our gold, yea of our most fine gold, we will freely give a part. Our fathers would have done the same. But must we fall down and cry "let not a stranger rob and kill me, O my father! let me rather die by the hand of my brother, and let him ravish all my portion!"†

It is said that disunited from *Britain* "we should bleed at every vein." I cannot see the consequence. The states of *Holland* do not suffer thus. But grant it true, *Seneca* would prefer the lancers of *France, Spain*, or any other power, to the sow-stains, though applied by the fair hand of *Britannia*.

The declarative vote of the British parliament is the death-warrant of our birthrights, and wants only a *Czarish* king to put it into execution. Here then a door of salvation is open. *Great Britain* may raise her fleets and armies, but it is only our own king that can direct their fire down upon our heads. He is gracious, but not omniscient. He is ready to hear our appeals in their proper course; and knowing himself, though the most powerful prince on earth, yet, a subject under a divine constitution of law; that law he will ask and receive from the twelve judges of *England*. These will prove that the claim of the British parliament over us is not only *illegal* in itself, but a down-right usurpation of his prerogative as king of *America*.

A brave nation is always generous. Let us ap-

\*I choose to bury a fruitful subject for any satirical genius of the family of *Penn*.

†—ita vitam corpusque servato, ita fortunas, ita rem familiarem, ut hæc posteriora liberati lucas, —nec pro his libertatem, sed pro libertati hæc proiciat, tanquam pignora injuriæ.



pen; therefore, at the same time, to the generosity of the PEOPLE of Great Britain, before the tribunal\* of Europe, not to envy us the full enjoyment of the RIGHTS OF BRETHREN.

And now, my friends and fellow townsmen, having declared myself an American son of liberty of true charter principles: having shewn the critical and dangerous situation of our birthrights, and the true course for speedy redress; I shall take the freedom to recommend, with boldness, one previous step.—Let us show we understand the true value of what we are claiming.

The patriotic *Furmer* tells us, "the cause of liberty is a cause of too much dignity to be sullied by turbulence and tumult.—Anger produces anger; and differences, that might be accommodated by kind and respectful behavior, may, by imprudence, be enlarged to an incurable rage. In quarrels—risen to a certain height, the first cause of dissension is no longer remembered, the minds of the parties being wholly engaged in recollecting and resenting the mutual expressions of their dislike. When feuds have reached that fatal point, considerations of reason and equity vanish, and a blind fury governs, or rather confounds all things. A people no longer regard their interest, but a gratification of their wrath."

We know ourselves subjects of common LAW: to that and the worthy *executors* of it, let us pay a steady and conscientious regard. Past errors in this point have been written with gall, by the pen of MALICE. May our future conduct be such as to make even that vile *ink* lay her pen aside.

The right which imposes duties upon us, is in dispute: but whether they are managed by a *surveyor-general*, a *board of commissioners*, *Turkish Janizaries*, or *Russian Cossacks*, let them enjoy, during our time of fair trial, the common personal protection of the laws of our constitution. Let us shut our eyes, for the present, to their being *executors of claims subversive of our rights*.

Watchful, hawk-eyed jealousy, ever guards the portal of the temple of the GODESS LIBERTY. This is known to those who frequent her altars. Our whole conduct therefore, I am sure, will meet with the utmost candor of her VOTARIES: but I am wishing we may be able to convert even her basest APOSTATES.

We are SLAVES until we obtain such redress, through the justice of our king, as our happy con-

\*I do not think the *quo warranto* against our first charter, was tried in a proper court.

stitution leads us to expect. In that condition, let us behave with the propriety and dignity of FREE-MEN; and thus exhibit to the world, a new character of a people, which no history describes.

May the all-wise and beneficent RULER OF THE UNIVERSE preserve our lives and health, and prosper all our lawful endeavors in the glorious cause of FREEDOM.

ORATION DELIVERED AT BOSTON, MARCH 5, 1772,  
BY JOSEPH WARREN.

*Quis talia fando,  
Myrmidonum, Dolopumve, aut duri miles Ulyssæi,  
Temperet a lacrymis.* VIRGIL.

When we turn over the historic page, and trace the rise and fall of states and empires, the mighty revolutions which have so often varied the face of the world strike our minds with solemn surprise, and we are naturally led to endeavor to search out the causes of such astonishing changes.

That man is formed for social life, is an observation, which, upon our first enquiry, presents itself immediately to our view, and our reason approves that wise and generous principle which actuated the first founders of civil government; an institution which hath its origin in the weakness of individuals, and hath for its end, the strength and security of all: and so long as the means of effecting this important end are thoroughly known, and religiously attended to, government is one of the richest blessings to mankind, and ought to be held in the highest veneration.

In young and new formed communities, the grand design of this institution, is most generally understood, and most strictly regarded; the motives which urged to the social compact, cannot be at once forgotten, and that equality which is remembered to have subsisted so lately among them, prevents those who are clothed with authority from attempting to invade the freedom of their brethren; or if such an attempt is made, it prevents the community from suffering the offender to go unpunished: every member feels it to be his interest and knows it to be his duty, to preserve inviolate the constitution on which the public safety depends,\* and he is equally ready to assist the magistrate in the execution of the laws, and the subject in defence of his right; and so long as this noble attachment to a constitution, founded on free and benevolent principles, exists in full vigor, in any state, that state must be flourishing and happy.

It was this noble attachment to a free constitu-

\* *Omnes ordines ad conservandam rempublicam, mente, voluntate, studio, virtute, voce, consentiunt.* CICERO.

tion which raised ancient Rome, from the smallest beginnings, to that bright summit of happiness and glory to which she arrived; and it was the loss of *this* which plunged her from *that* summit into the black gulph of infamy and slavery. It was *this* attachment which inspired her senators with wisdom; it was *this* which glowed in the breast of her heroes; it was *this* which guarded her liberties and extended her dominions, gave peace at home, and commanded respect abroad: and when *this* decayed, her magistrates lost their reverence for justice and the laws, and degenerated into tyrants and oppressors—her senators, forgetful of their dignity, and seduced by base corruption, betrayed their country—her soldiers, regardless of their relation to the community, and urged *only* by the hopes of plunder and rapine, unfeelingly committed the most flagrant enormities; and hired to the trade of death, with relentless fury, they perpetrated the most cruel murders, whereby the streets of imperial Rome were drenched with her *noblest* blood. Thus *this* empress of the world lost her dominions abroad, and her inhabitants, dissolute in their manners, at length became contented *slaves*; and she stands to this day, the scorn and derision of nations, and a monument of this eternal truth, that PUBLIC HAPPINESS DEPENDS ON A VIRTUOUS AND UNSHAKEN ATTACHMENT TO A FREE CONSTITUTION.

It was *this* attachment to a constitution, founded on free and benevolent principles, which inspired the first settlers of this country:—they saw with grief the daring outrages committed on the free constitution of their native land—they knew that nothing but a civil war could at that time restore its pristine purity. So hard was it to resolve to embroil their hands in the *blood* of their brethren, that they chose rather to quit their fair possessions and seek another habitation in a distant clime.—When they came to this new world, which they fairly purchased of the Indian natives, the only rightful proprietors, they cultivated the then barren soil, by their incessant labor, and defended their dear-bought possessions with the fortitude of the christian, and the bravery of the hero.

After various struggles, which, during the tyrannic reigns of the house of Stuart, were constantly kept up between right and wrong, between liberty and slavery, the connection between Great Britain and this colony was settled in the reign of king William and queen Mary, by a compact, the conditions of which were expressed in a charter; by which all the liberties and immunities of British subjects, were confined to this province, as fully and as ab-

solutely as they possibly could be by any human instrument which can be devised. And it is undeniably true, that the greatest and most important right of a British subject is, that *he shall be governed by no laws but those to which he either in person or by his representative hath given his consent*: and this I will venture to assert, is the grand basis of British freedom; it is interwoven with the constitution; and whenever this is lost, the constitution must be destroyed.

The *British constitution* (of which ours is a copy) is a happy compound of the three forms (under some of which all governments may be ranged) viz. monarchy, aristocracy, and democracy: of these three the *British legislature* is composed, and without the consent of each branch, nothing can carry with it the force of a law; but when a law is to be passed for raising a tax, that law can originate only in the democratic branch, which is the house of commons in Britain, and the house of representatives here.—The reason is obvious: they and their constituents are to pay much the largest part of it; but as the aristocratic branch, which, in Britain, is the house of lords, and in this province, the council, are also to pay some part, *THEIR* consent is necessary; and as the monarchic branch, which in Britain is the king, and with us, either the king in person, or the governor whom he shall be pleased to appoint to act in his stead, is supposed to have a just sense of his own interest, which is *that* of all the subjects in general, *HIS* consent is also necessary, and when the consent of these three branches is obtained, the taxation is most certainly legal.

Let us now allow ourselves a few moments to examine the *late acts of the British parliament for taxing America*—Let us with candor judge whether they are constitutionally binding upon us:—if they are, *IN THE NAME OF JUSTICE* let us submit to them, without one murmuring word.

First, I would ask whether the members of the British house of commons are the democracy of this province? if they are, they are either the people of this province, or are elected by the people of this province, to represent them, and have therefore a constitutional right to originate a bill for taxing them: it is most certain they are neither; and therefore nothing done by *them* can be said to be done by the democratic branch of our constitution. I would next ask, whether the lords, who compose the aristocratic branch of the legislature, are peers of America? I never heard it was (even in those extraordinary times) so much as pretended, and if they are not, certainly no act of *theirs*

## PRINCIPLES AND ACTS OF THE REVOLUTION.

can be said to be the act of the aristocratic branch of our constitution. The power of the monarchic branch we, with pleasure, acknowledge resides in the king, who may act either in person or by his representative; and I freely confess that I can see no reason why a PROCLAMATION for raising in America, issued by the king's sole authority, would not be equally consistent with our own constitution, and therefore equally binding upon us with the late acts of the British parliament for taxing us; for it is plain, that if there is any validity in those acts, it must arise altogether from the monarchical branch of the legislature: and I further think that it would be at least as equitable; for I do not conceive it to be of the least importance to us by whom our property is taken away, so long as it is taken without our consent; and I am very much at a loss to know by what figure of rhetoric, the inhabitants of this province can be called FREE SUBJECTS, when they are obliged to obey implicitly, such laws as are made for them by men three thousand miles off, whom they know not, and whom they never empowered to act for them, or how they can be said to have PROPERTY, when a body of men, over whom they have not the least control, and who are not in any way accountable to them, shall oblige them to deliver up any part, or the whole of their substance, without even asking their consent: and yet whoever pretends that the late acts of the British parliament for taxing America ought to be deemed binding upon us, must admit at once that we are absolute SLAVES, and have no property of our own; or else that we may be FREEMEN, and at the same time under a necessity of obeying the arbitrary commands of those over whom we have no control or influence, and that we may HAVE PROPERTY OF OUR OWN, which is entirely at the disposal of another. Such gross absurdities, I believe will not be relished in this enlightened age: and it can be no matter of wonder that the people quickly perceived, and seriously complained of the inroads which these acts must unavoidably make upon their liberty, and of the hazard to which their whole property is by them exposed; for, if they may be taxed without their consent, even in the smallest trifle, they may also, without their consent, be deprived of every thing they possess, although never so valuable, never so dear. Certainly it never entered the hearts of our ancestors, that after so many dangers in this then desolate wilderness, their hard-earned property should be at the disposal of the British parliament; and as it was soon found that this taxation could not be supported by reason and argument, it seemed necessary that one act of op-

pression should be enforced by another, and therefore, contrary to our just rights as possessing, or at least having a just title to possess, all the liberties and immunities of British subjects, a standing army was established among us in time of peace; and evidently for the purpose of effecting that, which it was one principle design of the founders of the constitution to prevent, (when they declared a standing army in a time of peace to be AGAINST LAW) namely, for the enforcement of obedience to acts which, upon fair examination, appeared to be unjust and unconstitutional.

The ruinous consequences of standing armies to free communities, may be seen in the histories of SYRACUSE, ROME, and many other once flourishing states; some of which have now scarce a name! their baneful influence is most suddenly felt, when they are placed in populous cities; for, by a corruption of morals, the public happiness is immediately affected; and that this is one of the effects of quartering troops in a populous city, is a truth, to which many a mourning parent, many a lost, despairing child in this metropolis, must bear a very melancholy testimony. Soldiers are also taught to consider arms as the only arbiters by which every dispute is to be decided between contending states;—they are instructed *implicitly* to obey their commanders, without enquiring into the justice of the cause they are engaged to support: hence it is, that they are ever to be dreaded as the ready engines of tyranny and oppression. And it is too observable that they are prone to introduce the same mode of decision in the disputes of individuals, and from thence have often arisen great animosities between them and the inhabitants, who, whilst in a naked, defenceless state, are frequently insulted and abused by an armed soldiery. And this will be more especially the case, when the troops are informed that the intention of their being stationed in any city, is to OVERAWE THE INHABITANTS. That this was the avowed design of stationing an armed force in this town, is sufficiently known; and we, my fellow citizens, have seen, we have felt the tragical effects!—THE FATAL FIFTH OF MARCH, 1770, CAN NEVER BE FORGOTTEN—The horrors of THAT DREADFUL NIGHT are but too deeply impressed on our hearts—Language is too feeble to paint the emotion of our souls, when our streets were stained with the BLOOD OF OUR BRETHREN,—when our ears were wounded by the groans of the dying, and our eyes were tormented with the sight of the mangled bodies of the dead.—When our alarmed imagination presented to our view our houses wrapt in flames,—our children subjected to the barbarous

caprice of the raging soldiery,—our beauteous virgins exposed to all the insolence of unbridled passion,—our virtuous wives, endeared to us by every tender tie, falling a sacrifice to worse than brutal violence, and perhaps, like the famed *Lucanilla*, distracted with anguish and despair, ending their wretched lives by their own fair hands. When we beheld the authors of our distress parading in our streets, or drawn up in a regular *buttalie*, as though in a hostile city, our hearts beat to arms; we snatched our weapons, almost resolved, by one decisive stroke, to avenge the death of our *seasoned warriors*, and to secure from future danger, all that we held most dear: but propitious heaven forbade the bloody carnage, and saved the threatened victims of our too keen resentment, not by their discipline, not by their regular array,—no, it was royal *Groom's* livery that proved their shield—it was that which turned the pointed engines of destruction from their breasts.\* *Th* thoughts of vengeance were soon buried in our inbred affection to Great Britain, and calm reason dictated a method of removing the troops more mild than an immediate recourse to the sword. With united efforts you urged the immediate departure of the troops from the town—you urged it, with a resolution which ensured success—you obtained your wishes, and the removal of the troops was effected, without one drop of *their blood* being shed by the inhabitants.

The immediate actors in the tragedy of *THAT* *trout*, were surrendered to justice.—It is not mine to say how far they were guilty? they have been tried by the country and *ACQUITTED* of murder! and they are not to be again arraigned at an earthly bar: but, surely the men who have promiscuously scattered *death* amidst the *innocent* inhabitants of a populous city, ought to see well to it, that they be prepared to stand at the bar of an omniscient judge! and all who contrived or encouraged the stationing troops in this place have reasons of eternal importance, to reflect with deep contrition, on their base designs, and humbly to repent of their impious machinations.

The infatuation which hath seemed, for a number of years, to prevail in the British councils,

\*I have the strongest reason to believe that I have mentioned the only circumstance which saved the troops from destruction. It was then, and now is, the opinion of those who were best acquainted with the state of affairs at that time, that had thrice that number of troops, belonging to any power at open war with us, been in this town, in the same exposed condition, scarce a man would have lived to have seen the morning light.

with regard to us, is truly astonishing! what can be proposed by the repeated attacks made upon our freedom, I really cannot surmise; even leaving justice and humanity out of question. I do not know one single advantage which can arise to the British nation, from our being enslaved:—I know not of any gains, which can be wrung from us by oppression, which they may not obtain from us by our own consent, in the smooth channel of commerce we wish the wealth and prosperity of Britain; we contribute largely to both. Doth what we contribute lose all its value, because it is done voluntarily? the amazing increase of riches to Britain, the great rise of the value of her lands, the flourishing state of her navy, are striking proofs of the advantages derived to her from her commerce with the colonies; and it is our earnest desire that she may still continue to enjoy the same emoluments, until her streets are paved with *AMERICAN GOLD*; only, let us have the pleasure of calling it our own, whilst it is in our own hands; but this it seems is too great a favor—we are to be governed by the *absolute command of others*; *our property is to be taken away without our consent*—if we complain, our complaints are treated with contempt; if we assert our rights, that assertion is deemed insolence; if we humbly offer to submit the matter to the impartial decision of reason, the swind is judged the most proper argument to silence our murmurs! but this cannot long be the case—surely the *British* nation will not suffer the reputation of their justice and their honor, to be thus sported away by a capricious ministry; no, they will in a short time open their eyes to to their true interest: they nourish in their own breasts, a noble love of liberty; they hold her dear, and they know that all who have once possessed her charms, had rather die than suffer her to be torn from their embraces—they are also sensible that *Britain* is so deeply interested in the prosperity of the colonies, that she must eventually feel every wound given to their freedom; they cannot be ignorant that more dependence may be placed on the affections of a brother, than on the forced service of a slave; they must approve your efforts for the preservation of your rights; from a sympathy of soul they must pray for your success: and I doubt not but they will, e'er long, exert themselves effectually, to redress your grievances. Even in the dissolute reign of king *CHARLES II.* when the house of commons impeached the earl of *Clarendon* of high treason, the first article on which they founded their accusation was, that “*he had designed a standing army to be raised, and to govern the kingdom thereby.*” And the eighth article was, that



"he had introduced an arbitrary government into his majesty's plantation." A terrifying example to those who are now forging chains for this country.

You have, my friends and countrymen, frustrated the designs of your enemies, by your unanimity and fortitude: it was your union and determined spirit which expelled those troops, who polluted your streets with INNOCENT BLOOD. You have appointed this anniversary as a standard memorial of the BLOODY CONSEQUENCES OF PLACING AN ARMED FORCE IN A POPULOUS CITY, and of your deliverance from the dangers which then seemed to hang over your heads; and I am confident that you never will betray the least want of spirit when called upon to guard your freedom. None but they who set a just value upon the blessings of liberty are worthy to enjoy her—your illustrious fathers were her zealous votaries—when the blasting frowns of tyranny drove her from public view, they clasped her in their arms, they cherished her in their generous bosoms, they brought her safe over the rough ocean, and fixed her seat in this then dreary wilderness; they nursed her infant age with the most tender care; for her sake, they patiently bore the severest hardships; for her support, they underwent the most rugged toils: in her defence, they boldly encountered the most alarming dangers; neither the ravenous beasts that ranged the woods for prey, nor the more furious savages of the wilderness, could damp their ardor!—Whilst with one hand they broke the stubborn glebe, with the other they grasped their weapons, ever ready to protect her from danger. No sacrifice, not even their own blood, was esteemed too rich a libation for her altar! God prospered their valor; they preserved her brilliancy unsullied; they enjoyed her whilst they lived, and dying, bequeathed the dear inheritance to your care. And as they left you this glorious legacy, they have undoubtedly transmitted to you some portion of their noble spirit, to inspire you with virtue to merit her, and courage to preserve her: you surely cannot, with such examples before your eyes, as every page of the history of this country affords,\* suffer your liberties to be ravished from you by lawless force, or cajoled away by flattery and fraud.

The voice of your fathers' blood cries to you from the ground, MY SONS SCORN TO BE SLAVES! in vain we met the frowns of tyrants—in vain we crossed the boisterous ocean, found a new world, and prepared it for the happy residence of LIBERTY—in vain we toiled—in vain we fought—we bled in

\*At simul heroum laudes, et facta parentis Jam legere, et qua sit poteris cognoscere virtus.—*Virg.*

vain, if you, our offspring, want valor to repel the assaults of her invaders!—Stain not the glory of your worthy ancestors, but like them resolve, never to part with your birth-right; be wise in your deliberations, and determined in your exertions for the preservation of your liberties. Follow not the dictates of passion, but enlist yourselves under the sacred banner of reason; use every method in your power to secure your rights; at least prevent the curses of posterity from being heaped upon your memories.

If you, with united zeal and fortitude, oppose the torrent of oppression; if you feel the true fire of patriotism burning in your breasts: if you, from your souls, despise the most gaudy dress that slavery can wear; if you really prefer the lonely cottage (whilst blest with liberty) to gilded palaces, surrounded with the ensigns of slavery, you may have the fullest assurance that tyranny, with her whole accursed train, will hide their hideous heads in confusion, shame and despair—if you perform your part, you must have the strongest confidence, that THE SAME ALMIGHTY BEING who protected your pious and venerable forefathers—who enabled them to turn a barren wilderness into a fruitful field, who so often made bare his arm for their salvation, will still be mindful of you, their offspring.

May THIS ALMIGHTY BEING graciously pre- side in all our councils. May he direct us to such measures as he himself shall approve, and be pleased to bless. May we ever be a people favored of GOD. May our land be a land of liberty, the seat of virtue, the asylum of the oppressed, a name and a praise in the whole earth, until the last shock of time shall bury the empires of the world in one common undistinguished ruin!

ORATION, DELIVERED AT BOSTON, MARCH 5, 1773,  
BY DR. BENJAMIN CHURCH.

*Impius hæc culta novæ mælis habebit?  
Barbarus hæc tegget? in quo discordia cives  
perduxit miseros? in quæ consecimus agros?*  
*Virgil, Ecl. I.*

O! SOCII  
O passi graviores, debet Deus his quoque finem;  
—revocate animos, mestumque timorem  
mittite, forsitan et hæc olim inominare juvabit  
*Virgil, Eccl. I.*

From a consciousness of inability, MY FRIENDS AND FELLOW COUNTRYMEN, I have repeatedly declined the duties of this anniversary. Nothing but a firm attachment to the tottering liberties of America\* added to the the irresistible importunity of some valued friends, could have induced me (especially with a very short notice) so far as to mis-

\*Periculosæ plenum opus alex  
Tractas, incedis per ignes  
Suppositos cineri doloso.—*HORACE.*

take my abilities, as to render the utmost extent of your candor truly indispensable.

When man was unconnected by social obligations; abhorrent to every idea of dependence; actuated by a savage ferocity of mind, displayed in the brutality of his manners, the necessary exigencies of each individual, naturally impelled him to acts of treachery, violence and murder.

The miseries of mankind thus proclaiming eternal war with their species, led them, probably, to consult certain measures to arrest the current of such outrageous enormities.

A sense of their wants and weakness, in a state of nature, doubtless inclined them to such reciprocal aids and support, as eventually established society.

Men then began to incorporate; subordination succeeded to independence; order to anarchy; and passions were disarmed by civilization: society lent its aid to secure the weak from oppression, who wisely took shelter within the sanctuary of law.

Increasing, society afterwards exacted, that the tacit contract made with her by each individual, at the time of his being incorporated, should receive a more solemn form to become authentic and irrefragable; the main object being to add force to the laws, proportionate to the power and extent of the body corporate, whose energy they were to direct.

Then society availed herself of the sacrifice of that liberty and that natural equality of which we are all conscious: superiors and magistrates were appointed, and mankind submitted to a civil and political subordination. This is truly a glorious inspiration of reason, by whose influence, notwithstanding the inclination we have for independence, we accept control, for the establishment of order.

Although unrestrained power in one person may have been the first and most natural recourse of mankind, from rapine and disorder; yet all restrictions of power, made by laws, or participation of sovereignty, are apparent improvements upon what began in unlimited power.

It would shock humanity, should I attempt to describe those barbarous and tragic scenes, which crimson the historic page of this wretched and detestable constitution, where absolute dominion is lodged in one person: where one makes the whole, and the whole is nothing. What motives, what events, could have been able to subdue men, endowed with reason, to render themselves the mute

instruments, and passive objects of the caprice of an individual.

Mankind, apprised of their privileges, in being rational and free, in prescribing civil laws to themselves, had surely no intention of being enchained by any of their equals; and although they submitted voluntarily adherents to certain laws, for the sake of mutual security and happiness, they, no doubt, intended by the original compact, a permanent exemption of the subject body from any claims, which were not expressly surrendered, for the purpose of obtaining the security and defence of the whole. Can it possibly be conceived, that they would voluntarily be enslaved by a power of their own creation.

The constitution of a magistrate does not, therefore, take away that lawful defence against force and injury, allowed by the law of nature; we are not to obey a prince, ruling above the limits of the power entrusted to him; for the commonwealth, by constituting a head, does not deprive itself of the power of its own preservation.\* *Government and magistracy*, whether supreme or subordinate, is a mere human ordinance, and the laws of every nation are the measure of magistratical power: and kings, the servants of the state, when they degenerate into tyrants, forfeit their right to government.

Breach of trust in a governor,† or attempting to enlarge a limited power, effectually absolves subjects from every bond of covenant and peace; the crimes acted by a king against the people, are the highest treason against the highest law among men.‡

"If the king (*says Grotius*) hath one part of the supreme power, and the other part is in the senate or people, when such a king shall invade that part which doth not belong to him, it shall be lawful to oppose a just force to him, because his power doth not extend so far."

The question, in short, turns upon this single point, respecting the power of the civil magistrate. is it the end of that office, that one particular person may do what he will without restraint? or rather that society should be made happy and secure? the answer is very obvious—And it is my firm opinion that the equal justice of God, and the natural freedom of mankind, must stand or fall together.

When rulers become tyrants, they cease to be kings: they can no longer be respected as God's vicegerents, who violate the laws they were sworn

\*The celebrated Mrs. Macaulay.

†Mrs. Macaulay.

‡Salus populi suprema lex esto.

to protect. The preacher may tell us of *passive obedience*, that tyrants are scourges in the hands of a righteous God to chastise a sinful nation, and are to be submitted to like plagues, famine and such like judgments: such doctrine may serve to mislead ill judging princes into a false security; but men are not to be harrangued out of their senses; human nature and self-preservation will eternally arm the brave and vigilant, against slavery and oppression.

As a despotic government\* is evidently productive of the most shocking calamities, whatever tends to restrain such inordinate power, though in itself a severe evil, is extremely beneficial to society; for where a degrading servitude is the detestable alternative, who can shudder at the reluctant poignard of a *Brutus*, the crimsoned axe of a *Cromwell*, or the reeking dagger of a *Ruvillac*.

To enjoy life as becomes rational creatures, to possess our souls with pleasure and satisfaction, we must be careful to maintain that inestimable blessing, *liberty*. By liberty I would be understood, the happiness of living under laws of our own making, by our personal consent, or that of our representatives.†

Without this, the distinctions among mankind are but different degrees of misery; for as the true estimate of a man's life consists in conducting it according to his own just sentiment and innocent inclinations, his being is degraded below that of a free agent, which heaven has made him, when his affection and passions are no longer governed by the dictates of his own mind, and the interests of human society, but by the arbitrary, unrestrained will of another.

I thank God we live in an age of rational inquiry, when the unfettered mind dares to expatiate

\*The ingratitude and corruption of Rome is, perhaps, in no instance, more strongly marked than in her treatment of her colonies; by their labors, soils, and arms, she had reached to that summit of glorious exaltation, as to be like Britain, the wonder and dread of the world; but by fatal experience those ruined colonies inculcate this serious lesson, the ambition of a *Nasrort* is boundless; his rapine is insatiable; the accomplishment of his conquests over his enemies, is but the introduction of slavery, with her concomitant plagues, to his friends.

†The very idea of a representative, deputy or trustee, includes that of a constituent, whose interest they are ordained and appointed to promote and secure; very unappointed, self constituted agent in the British parliament, has fraudulently and arbitrarily surrendered my best interest, without my privacy or consent; I do therefore hereby protest against all such powers as he shall claim in my behalf, and most solemnly discard him my service forever — See *Lock*, civil government. *Risum teneatis amici*.

freely on every object worthy its attention, when the privileges of mankind are thoroughly comprehended, and the rights of distinct societies are objects of liberal enquiry. The rod of the tyrant no longer excites our apprehensions, and to the frown of the *Nasrort*, which made the darker ages tremble,\* we dare oppose demands of right, and appeal to that constitution, which holds even kings in fetters.

It is easy to project the subversion of a people, when men behold them, the ignorant or indolent victims of power; but it is difficult to effect their ruin, when they are apprised of their just claims, and are sensibly and seasonably affected with thoughts for their preservation. God be thanked, the alarm is gone forth,† the people are universally informed of their *CHARTER RIGHTS*; they esteem them to be the ark of God to N. W. ENGLAND, and like that of old, may it deal destruction to the profane hand that shall dare to touch it.

In every state or society of men, personal liberty and security must depend upon the collective power of the whole, acting for the general interest.‡ If this collective power is not of the whole, the freedom and interest of the whole is not secured: If this confluent power acts by a partial delegation,

\* *Celum non animus mutant, qui trans mare currunt*. The citizens of Rome, Sparta, or Lacedemon, at those blessed periods when they were most eminent for their attachment to liberty and virtue, could never exhibit brighter examples of patriotic zeal, than are to be found at this day in America; I will not presume to say that the original British spirit has improved by transplanting; but this I dare affirm, that should Britons stoop to oppression, the struggles of their American brethren, will be their eternal reproach.

†The instituting a committee of grievances and correspondence by the town of Boston, has served this valuable purpose: The general infringement of the rights of all the colonies, must finally reduce the discordant provinces, to a necessary combination for their mutual interest and defence: Some future congress will be the glorious source of the salvation of America: The Amphictyones of Greece, who formed the diet or great council of the states, exhibit an excellent model for the rising Americans.

‡Lord chief justice Coke observes "When any new device is moved in the king's behalf, for aid or the like, the commons may answer, they dare not agree without conference with their counties." The novel device of fleecing the colonies, was introduced in a way the constitution knows not of, and crammed down their throats, by measures equally iniquitous.

I will not alarm the sticklers for the present measures, by confronting them with more stale authorities, if they will permit me the following short but express declaration of Sidney, which they may chew at leisure. NO MAN CAN GIVE THAT WHICH IS ANOTHER'S.

er for a partial interest, its operation is surely determinable, where its delegation ends.

The constitution of England, I revere to a degree of idolatry; but my attachment is to the common weal: The magistrate will ever command my respect, by the integrity and wisdom of his administrations.

Junius well observes, "when the constitution is openly invaded, when the first original right of the people, from which all laws derive their authority, is directly attacked, inferior grievances naturally lose their force, and are suffered to pass by without punishment or observation."

Numberless have been the attacks made upon our free constitution; numberless the grievances we now resent: but the *Hydra* mischief, is the violation of my right, as a BRITISH AMERICAN freeholder, in not being consulted in framing those statutes I am required to obey.

The authority of the BRITISH monarch over this colony was established, and his power derived from the province CHARTER; by that we are entitled to a distinct legislation. As in every government there must exist a power superior to the laws, viz the power that makes those laws, and from which they derive their authority: therefore the liberty of the people is exactly proportioned to the share the body of the people have in the legislature; and the check placed in the constitution, on the executive power. That state only is free, where the people are governed by laws which they have a share in making; and that country is totally enslaved, where one single law can be made or repealed, without the interposition or consent of the people.

That the members of the British parliament are the representatives of the whole British empire, expressly militates with their avowed principles: property and residence within the island, alone constituting the right of election; and surely he is not my delegate in whose nomination or appointment I have no choice: but however the futile and absurd claim of a virtual representation, may comport with the idea of a political visionary, he must (if possible) heighten the indignation, or excite the ridicule of a freeborn American, who by such a fallacious pretext would despoil him of his property.

An American freeholder, according to the just and judicious conduct of the present ministry, has

no possible right to be consulted, in the disposal of his property: when a lordly, though *unlettered British elector*, possessed of a turnip garden, with great propriety may appoint a legislature, to assess the ample domains of the most sensible, opulent American planter.

But remember, my brethren, when a people have once sold their liberties, it is no act of extraordinary generosity, to throw their lives and properties into the bargain, for they are poor indeed when enjoyed at the mercy of a master.

The late conduct of Great Britain, so inconsistent with the practice of former times, so subversive of the first principles of government, is sufficient to excite the discontent of the subject: the Americans justly and decently urged an exclusive right of taxing themselves; was it indulgent, conciliating, or parental conduct in that state, to exaggerate such a claim, as a concerted plan of rebellion in the wanton Americans? and by a rigorous and cruel exercise of power to enforce submission, excite such animosities, as at some future period, may produce a bitter repentance?

Can such be called a legal tax or free gift? it is rather levying contributions on grudging enslaved Americans, by virtue of an act framed and enforced, not only without, but against their consent; thereby rendering the provincial assemblies an useless part of the constitution.

Where laws are framed and assessments laid without a legal representation, and obedience to such acts urged by force, the despairing people robbed of every constitutional means of redress, and that people, brave and virtuous, must become the admiration of ages, should they not appeal to those powers, which the immutable laws of nature have lent to all mankind. Fear is a slender tie of subjection; we detest those whom we fear, and wish destruction to those we detest; but humanity, uprightness, and good faith, with an apparent watchfulness for the welfare of the people, constitute the permanency, and are the firmest support of the sovereign's authority; for when violence is opposed to reason and justice, courage never wants an arm for its defence.

What dignity, what respect, what authority, can Britain derive from her obstinate adherence to error? she stands convicted of violating her own principles, but perseveres with unrelenting severity; we implore for rights as a grace—she aggravates our distress, by lopping away another and another darling privilege; we ask for freedom and she sends the sword!

\*Nothing, continued the corporal, can be so sweet, As please your honor, as liberty:

Nothing, 'Twas, said my uncle Toby, musing—

What if a man is free—said the corporal, giving a flourish with

his stick then? *Triumph! Sirrudy.*

To the wisdom, to the justice, to the piety of his most sacred majesty, I unite in my appeal with this unbounded empire; God grant he may attend to the reiterated prayer, instead of the murmur of discontent, and the frown of luring disaffection; we would universally hail him with those effusions of genuine joy, and dutious veneration, which the proudest despot will vainly look for, from forced respect or ceremonial homage.

Parties and factions, since the days of the detested *Andross*, have been strangers to this land; no distinctions of heart felt animosity, disturbed the peace and order of society till the malignant folly of a late rancorous commander in chief, conjured them from the dead: when shall this unhappy clime be purged of its numerous plagues? when will our troubles, our feuds, our struggles cease? when will the locusts leave the land? then, and not till then, peace and plenty shall smile around us; the husbandman will labor with pleasure; and honest industry reap the reward of its toil.

But let us not forget the distressing occasion of this anniversary: the sullen ghosts of murdered fellow-citizens haunt my imagination "and harrow up my soul;" methinks the tainted air is hung with the dews of death, while *Ate*, hot from hell, cries havoc, and lets slip the dogs of war. Hark! the van tenants of the grave still shriek for vengeance on their remorseless butchers: forgive us heaven! should we mingle involuntary execrations, while hovering in idea over the guiltless dead. Where is the amiable, the graceful *Maverick*? the opening blossom is now withered in his cheek, the sprightly fire that once lightened in his eye is quenched in death;† the savage hands of brutal ruffians have crushed the unsuspecting victim, and in an evil hour snatched away his gentle soul.

Where is the friendly, the industrious *Caldwell*? he paced innoxious through the theatre of death, unconscious of design or danger, when the winged fate gored his bosom, and stript his startled soul for the world of spirits. Where are the residue of active citizens that were wont to tread these sacred floors? fallen by the hands of the vindictive assassins they swell the horrors of the sanguinary scene.—Loyalty stands on tiptoe at the shocking recollection, while justice, virtue, honor, patriotism become suppliants for immoderate vengeance: the whole soul clamors for arms, and is on fire to attack the brutal banditti; we fly agonizing to the horrid *aceldama*; we gaze on the mangled corpses of our

brethren and grinning furies, glotting o'er their carnage, the hostile attitude of the miscreant murderers, redoubles our resentment, and makes revenge a virtue.

By heaven they die! thus nature spoke, and the swoln heart leap'd to execute the dreadful purpose; dire was the interval of rage, fierce was the conflict of the soul. In that important hour, did not the stalking ghosts of our stern forefathers, point us to bloody deeds of vengeance? did not the consideration of our expiring liberties, impel us to remorseless havoc? but hark! the guardian God of New England issues his awful mandate, "PEACE, BE STILL;" hush'd was the bursting war, the luring tempest frowned its rage away. Confidence in that God, beneath whose wing we shelter all our cares, that blessed confidence released the dastard, the cowering prey: with haughty scorn we refused to become their executioners, and nobly gave them to the wrath of heaven: but words can poorly paint the horrid scene\*—defenceless, prostrate, bleeding countrymen—the piercing, agonizing groans—the mingled moan of weeping relatives and friends—these best can speak, to rouse the luke-warm into noble zeal; to fire the zealous into manly rage, against the foul oppression, of quartering troops, in populous cities, in times of peace.

Thou who yon bloody walk shalt traverse, there  
Where troops of Britain's king, on Britain's sons,  
Discharg'd the leaden vengeance; pass not on  
E'er thou hast blest their memory, and paid  
Those hallowed tears, which sooth the virtuous dead:  
O stranger! stay thee, and the scene around  
Contemplate well; and if perchance thy home  
Salute thee with a father's honor'd name,  
Go call thy sons—instruct them what a debt  
They owe their ancestors, and make them swear  
To pay it, by transmitting down entire,  
Those sacred rights, to which themselves were born.

ORATION, DELIVERED AT BOSTON, MARCH 5, 1774,

BY THE HON. JOHN HANCOCK, ESQ.

Vendidit hic auro patriam, dominumque potentem  
Imposuit: fuit leges pretio atque refixit.  
Non, mihi si linguis centum sint, oraque centum,  
Fertur vox, omnes seclerum comprehendere formas,  
possum.

Virg.

Men, brethren, fathers and fellow-countrymen!—The attentive gravity, the venerable appearance of this crowded audience; the dignity which I behold in the countenances of so many in this great assembly; the solemnity of the occasion upon which we have met together, joined to a consideration of the part I am to take in the important business of this day, fill me with an awe hitherto unknown; and heighten the sense which I have ever had, of my unworthiness to fill this sacred desk; but, allured by the call of some of my respected fellow-citizens,

\*The Netleham Baronet.

† Hic ubi barbarus hostis,  
Ut sepius valeant legibus arma flecti.—Ovid de Ponto.

\* Multaque rubentia cecide  
Lubrica saxa movent, nulli sua profuit ictus.—Lucan, Lib. 2.

with whose request it is always my greatest pleasure to comply, I almost forgot my want of ability to perform what they required. In this situation I find my only support, in assuring myself that a generous people will not severely censure what they know was well intended, though its want of merit, should prevent their being able to applaud it. And I pray, that my sincere attachment to the interest of my country, and hearty detestation of every design formed against her liberties, may be admitted as some apology for my appearance in this place.

I have always, from my earliest youth, rejoiced in the felicity of my fellow-men; and have ever considered it as the indispensable duty of every member of society to promote, as far as in him lies, the prosperity of every individual, but more especially of the community to which he belongs; and also, as a faithful subject of the state, to use his utmost endeavors to detect, and having detected, strenuously to oppose every traitorous plot which its enemies may devise for its destruction. Security to the persons and properties of the governed, is so obviously the design and end of civil government, that to attempt a logical proof of it, would be like burning tapers at noonday, to assist the sun in enlightening the world; and it cannot be either virtuous or honorable, to attempt to support a government, of which this is not the great and principal basis; and it is to the last degree vicious and infamous to attempt to support a government, which manifestly tends to render the persons and properties of the governed insecure. Some boast of being *friends to government*; I am a friend to *righteous government*, to a government founded upon the principles of reason and justice; but I glory in publicly avowing my eternal enmity to *tyranny*. Is the present system, which the British administration have adopted for the government of the colonies, a righteous government? or is it tyranny?—Here suffer me to ask (and would to Heaven there could be an answer) what tenderness, what regard, respect or consideration has *Great Britain* shewn, in their late transactions, for the security of the persons or properties of the inhabitants of the colonies? or rather, what have they omitted doing to destroy that security? they have declared that they have, ever had, and of right ought ever to have, full power to make laws of sufficient validity to bind the colonies in all cases whatever: they have exercised this pretended right by imposing a tax upon us without our consent; and lest we should shew some reluctance at parting with our property, her fleets and armies

are sent to enforce their mad pretensions. The town of Boston, ever faithful to the British crown, has been invested by a British fleet: the troops of George the III. have crossed the wide Atlantic, not to engage an enemy, but to assist a band of traitors in trampling on the rights and liberties of his most loyal subjects in America—those rights and liberties which, as a father, he ought ever to regard, and as a king, he is bound, in honor, to defend from violations, even at the risk of his own life.

Let not the history of the illustrious house of Brunswick inform posterity, that a king, descended from that glorious monarch, George the II. once sent his British subjects to conquer and enslave his subjects in America, but be perpetual infamy entailed upon that villain who dared to advise his master to such execrable measures; for it was easy to foresee the consequences which so naturally followed upon sending troops into America, to enforce obedience to acts of the British parliament, which neither God nor man ever empowered them to make. It was reasonable to expect that troops, who knew the errand they were sent upon, would treat the people whom they were to subjugate, with a cruelty and haughtiness, which too often buries the honorable character of a *soldier*, in the disgraceful name of an *unfeeling ruffian*. The troops, upon their first arrival, took possession of our senate-house, and pointed their cannon against the judgment-hall, and even continued them there whilst the supreme court of judicature for this province was actually sitting to decide upon the lives and fortunes of the king's subjects. Our streets nightly resounded with the noise of riot and debauchery; our peaceful citizens were hourly exposed to shameful insults, and often felt the effects of their violence and outrage.—But this was not all: as though they thought it not enough to violate our civil rights, they endeavored to deprive us of the enjoyment of our religious privileges; to viciate our morals, and thereby render us deserving of destruction. Hence the rude din of arms which broke in upon your solemn devotions in your temples, on that day hallowed by heaven, and set apart by God himself for his peculiar worship. Hence, impious oaths and blasphemies so often tortured your unaccustomed ear. Hence, all the arts which idleness and luxury could invent, were used to betray our youth of one sex into extravagance and effeminacy, and of the other to infamy and ruin; and did they not succeed but too well? did not a reverence for religion sensibly decay? did not our infants almost learn to hiss out curses before they knew their horrid import? did not our



youth forget they were Americans, and regardless of the admonitions of the wise and aged, servilely copy from their tyrants those vices which finally must overthrow the empire of Great Britain? and must I be compelled to acknowledge, that even the noblest, fairest part of all the lower creation did not entirely escape the cursed snare? when virtue has once erected her throne within the female breast, it is upon so solid a basis that nothing is able to expel the heavenly inhabitant. But have there not been some, few indeed, I hope, whose youth and inexperience have rendered them a prey to wretches, whom, upon the least reflection, they would have despised and hated as foes to God and their country? I fear there have been some such unhappy instances; or why have I seen an honest father clothed with shame; or why a virtuous mother drowned in tears?

But I forbear, and come reluctantly to the transactions of that dismal night, when in such quick succession we felt the extremes of grief, astonishment and rage; when Heaven in anger, for a dreadful moment suffered hell to take the reins; when Satan with his chosen band opened the sluices of New-England's blood, and sacrilegiously polluted our land with the dead bodies of her guiltless sons. Let this sad tale of death never be told without a tear: let not the heaving bosom cease to burn with a manly indignation at the barbarous story, through the long tracts of future time: let every parent tell the shameful story to his listening children 'til tears of pity glisten in their eyes, and boiling passions shake their tender frames; and whilst the anniversary of that ill-fated night is kept a jubilee in the grim court of pandæmonium, let all America join in one common prayer to heaven, that the inhuman, unprovoked murders of the fifth of March, 1770, planned by Hillsborough, and a knot of treacherous knaves in Boston, and executed by the cruel hand of Preston and his sanguinary coadjutors, may ever stand on history without a parallel. But what, my countrymen, withheld the ready arm of vengeance from executing instant justice on the vile assassins? perhaps you feared promiscuous carnage might ensue, and that the innocent might share the fate of those who had performed the infernal deed. But were not all guilty? where you not too tender of the lives of those who came to fix a yoke on your necks? but I must not too severely blame a fault, which great souls only can commit. May that magnificence of spirit which scorns the low pursuits of malice, may that generous compassion which often preserves

from ruin, even a guilty villain, forever acuate the noble bosoms of Americans! But let not the miscreant host vainly imagine that we feared their arms. No; them we despised; we dread nothing but slavery. Death is the creature of a poltroon's brains; 'tis immortality to sacrifice ourselves for the salvation of our country. We fear not death. That gloomy night, the pale faced moon, and the affrighted stars that hurried through the sky, can witness that we fear not death. Our hearts which, at the recollection, glow with rage that four revolving years have scarcely taught us to restrain, can witness that we fear not death; and happy it is for those who dared to insult us, that their naked bones are not now piled up an everlasting monument of Massachusetts' bravery. But they retired, they fled, and in that flight they found their only safety. We then expected that the hand of public justice would soon inflict that punishment upon the murderers, which, by the laws of God and man, they had incurred. But let the unbiassed pen of a Robertson, or perhaps of some equally famed American, conduct this trial before the great tribunal of succeeding generations. And though the murderers may escape the just resentment of an enraged people; though drowsy justice, intoxicated by the poisonous draught prepared for her cup, still nods upon her rotten seat, yet be assured, such complicated crimes will meet their due reward. Tell me, ye bloody butchers! ye villains high and low! ye wretches who contrived, as well as you who executed the inhuman deed! do you not feel the goads and stings of conscious guilt pierce through your savage bosoms? though some of you may think yourselves exalted to a height that bids defiance to human justice, and others shroud yourselves beneath the mask of hypocrisy, and build your hopes of safety on the low arts of cunning, chicanery and falsehood; yet do you not sometimes feel the knowings of that worm which never dies? do not the injured shades of Maverick, Gray, Caldwell, Attucks and Carr, attend you in your solitary walks, arrest you even in the midst of your debaucheries, and fill even your dreams with terror? but if the unappeased manes of the dead should not disturb their murderers, yet surely even your obdurate hearts must shrink, and your guilty blood must chill within your rigid veins, when you behold the miserable Monk, the wretched victim of your savage cruelty. Observe his tottering knees, which scarce sustain his wasted body; look on his haggard eyes; mark well the death-like paleness on his fallen cheek, and tell me, does not the sight plant daggers in your souls? unhappy Monk! cut off in the gay morn

of manhood, from all the joys which sweeten life, doomed to drag on a pitiful existence, without even a hope to taste the pleasures of returning health! yet Monk, thou livest not in vain; thou livest a warning to thy country, which sympathizes with thee in thy sufferings; thou livest an affecting, an alarming instance of the unbounded violence which lust of power, assisted by a standing army, can lead a traitor to commit.

For us he bled, and now languishes. The wounds by which he is tortured to a lingering death, were aimed at our country! surely the meek-eyed charity can never behold such sufferings with indifference. Nor can her lenient hand forbear to pour oil and wine into these wounds, and to assuage at least, what it cannot heal.

Patriotism is ever united with humanity and compassion. This noble affection which impels us to sacrifice every thing dear, even life itself, to our country, involves in it a common sympathy and tenderness for every citizen, and must ever have a particular feeling for one who suffers in a public cause. Thoroughly persuaded of this, I need not add a word to engage your compassion and bounty towards a fellow citizen, who, with long protracted anguish, falls a victim to the relentless rage of our common enemies.

Ye dark designing knaves, ye murderers, patriots! how dare you tread upon the earth, which has drunk in the blood of slaughtered innocents, shed by your wicked hands? how dare you breathe that air which wafted to the ear of heaven, the groans of those who fell a sacrifice to your accursed ambition? but if the laboring earth doth not expand her jaws; if the air you breathe is not commissioned to be the minister of death; yet, hear it, and tremble! the eye of heaven penetrates the darkest chambers of the soul, traces the leading clue through all the labyrinths which your industrious folly has devised; and you, however you may have screened yourselves from human eyes, must be arraigned, must lift your hands, red with the blood of those whose death you have procured, at the tremendous bar of God.

But I gladly quit the gloomy theme of death, and leave you to improve the thought of that important day, when our naked souls must stand before that being, from whom nothing can be hid. I would not dwell too long upon the horrid effects which have already followed from quartering regular troops in this town: let our misfortunes teach posterity to guard against such evils for the future. Standing armies are sometimes (I would by no

means say generally, much less universally) composed of persons who have rendered themselves unfit to live in civil society; who have no other motives of conduct than those which a desire of the present gratification of their passions suggests; who have no property in any country; men who have given up their own liberties, and envy those who enjoy liberty; who are equally indifferent to the glory of a George or a Louis; who for the addition of one penny a day to their wages, would desert from the Christian cross, and fight under the crescent of the Turkish sultan; from such men as these, what has not a state to fear? with such as these, usurping Cæsar passed the Rubicon; with such as these he humbled mighty Rome, and forced the mistress of the world to own a master in a traitor. These are the men whom sceptered robbers now employ to frustrate the designs of God, and render vain the bounties which his gracious hand pours indiscriminately upon his creatures. By these the miserable slaves in Turkey, Persia, and many other extensive countries, are rendered truly wretched, though their air is salubrious, and their soil luxuriously fertile. By these, France and Spain, though blessed by nature with all that administers to the convenience of life, have been reduced to that contemptible state in which they now appear; and by these Britain——— but if I was possessed of the gift of prophecy, I dare not, except by divine command, unfold the leaves on which the destiny of that once powerful kingdom is inscribed.

But since standing armies are so hurtful to a state, perhaps my countrymen may demand some substitute, some other means of rendering us secure against the incursions of a foreign enemy. But can you be one moment at a loss? will not a *well disciplined militia* afford you ample security against foreign foes? we want not courage; it is discipline alone in which we are exceeded by the most formidable troops that ever trod the earth. Surely our hearts flutter no more at the sound of war, than did those of the immortal band of Persia, the Macedonian phalanx, the invincible Roman legions, the Turkish Janissaries, the Gens des Armes of France, or the *well known grenadiers of Britain*. A well disciplined militia is a safe, an honorable guard to a community like this, whose inhabitants are by nature brave, and are laudably tenacious of that freedom in which they were born. From a well regulated militia we have nothing to fear; their interest is the same with that of the state. When a country is invaded, the militia are ready to appear in its defence; they march into the field with that fortitude which a consciousness of the justice

of their cause inspires; they do not jeopard their lives for a master who considers them only as the instruments of his ambition, and whom they regard only as the daily dispenser of the scanty pittance of bread and water. No, they fight for their houses, their lands, for their wives, their children, for all who claim the tenderest names, and are held dearest in their hearts, they fight *proarvus et focia*, for their liberty, and for themselves, and for their God. And let it not offend, if I say, that no militia ever appeared in more flourishing condition, than that of this province now doth; and pardon me if I say—of this town in particular.—I mean not to boast; I would not excite envy but manly emulation. We have all one common cause; let it therefore be our only contest, who shall most contribute to the security of the liberties of America. And may the same kind Providence which has watched over this country from her infant state, still enable us to defeat our enemies. I cannot here forbear noticing the signal manner in which the designs of those who wish not well to us have been discovered. The dark deeds of a treacherous cabal, have been brought to public view. You now know the serpents who, whilst cherished in your bosoms, were darting their envenomed stings into the vitals of the constitution. But the representatives of the people have fixed a mark on these ungrateful monsters, which, though it may not make them so secure as Cain of old, yet renders them at least as infamous. Indeed it would be affrontive to the tutelar deity of this country even to despair of saving it from all the snares which human policy can lay.

True it is, that the British ministry have annexed a salary to the office of the governor of this province, to be paid out of a revenue, raised in America, without our consent. They have attempted to render our courts of justice the instruments of extending the authority of acts of the British parliament over this colony, by making the judges dependent on the British administration for their support. But this people will never be enslaved with their eyes open. The moment they knew that the governor was not such a governor as the charter of the province points out, he lost his power of hurting them. They were alarmed; they suspected him, have guarded against him, and he has found that a wise and a brave people, when they know their danger, are fruitful in expedients to escape it.

The courts of judicature also so far lost their dignity, by being supposed to be under an undue influence, that our representatives thought it absolutely necessary to resolve that they were bound so declare that they would not receive any other

salary besides that which the general court should grant them; and if they did not make this declaration, that it would be the duty of the house to impeach them.

Great expectations were also formed from the artful scheme of allowing the East India company to export tea to America, upon their own account. This certainly, had it succeeded, would have effected the purpose of the contrivers, and gratified the most sanguine wishes of our adversaries. We soon should have found our trade in the hands of foreigners, and taxes imposed on every thing which we consumed; nor would it have been strange, if, in a few years, a company in London should have purchased an exclusive right of trading to America. But their plot was soon discovered. The people soon were aware of the poison which, with so much craft and subtlety, had been concealed: loss and disgrace ensued: and, perhaps, this long-concerted master-piece of policy, may issue in the total disuse of tea, in this country, which will eventually be the saving of the lives and the estates of thousands—yet while we rejoice that the adversary has not hitherto prevailed against us, let us by no means put off the harness. Restless malice, and disappointed ambition, will still suggest new measures to our inveterate enemies. Therefore let us also be ready to take the field whenever danger calls; let us be united and strengthen the hands of each other, by promoting a general union among us. Much has been done by the committees of correspondence for this and the other towns of this province, towards uniting the inhabitants; let them still go on and prosper. Much has been done by the committees of correspondence, for the houses of assembly, in this and our sister colonies, for uniting the inhabitants of the whole continent, for the security of their common interest. May success ever attend their generous endeavors. But permit me here to suggest a general congress of deputies, from the several houses of assembly, on the continent, as the most effectual method of establishing such an union, as the present posture of our affairs require. At such a congress a firm foundation may be laid for the security of our rights and liberties; a system may be formed for our common safety, by a strict adherence to which, we shall be able to frustrate any attempts to overthrow our constitution; restore peace and harmony to America, and secure honor and wealth to Great Britain, even against the inclinations of her ministers, whose duty it is to study her welfare; and we shall also free ourselves from those unmannerly pillagers who impudently tell us, that they are li-

ceased by an act of the British parliament, to thrust their dirty hands into the pockets of every American. But, I trust, the happy time will come, when, with the besom of destruction, those noxious vermin will be swept forever from the streets of Boston.

Surely you never will tamely suffer this country to be a den of thieves. Remember, my friends, from whom you sprang.—Let not a meanness of spirit, unknown to those whom you boast of as your fathers, excite a thought to the dishonor of your mothers. I conjure you by all that is dear, by all that is honorable, by all that is sacred, not only that ye pray, but that you act; that, if necessary, ye fight, and even die, for the prosperity of our Jerusalem. Break in sunder, with noble disdain, the bonds with which the Philistines have bound you. Suffer not yourselves to be betrayed by the soft arts of luxury and effeminacy, into the pit digged for your destruction. Despise the glare of wealth. That people who pay greater respect to a wealthy villain, than to an honest upright man in poverty, almost deserve to be enslaved; they plainly shew that wealth, however it may be acquired, is, in their esteem, to be preferred to virtue.

But I thank God, that America abounds in men who are superior to all temptation, whom nothing can divert from a steady pursuit of the interest of their country; who are at once its ornament and safe-guard. And sure I am, I should not incur your displeasure, if I paid a respect so justly due to their much honored characters in this place; but when I name an ADAMS, such a numerous host of fellow patriots rush upon my mind, that I fear it would take up too much of your time, should I attempt to call over the illustrious roll: but your grateful hearts will point you to the men; and their revered names, in all succeeding times, shall grace the annals of America. From them, let us, my friends, take example; from them, let us catch the divine enthusiasm; and feel, each for himself, the God-like pleasure of diffusing happiness on all around us; of delivering the oppressed from the iron grasp of tyranny; of changing the hoarse complaints and bitter moans of wretched slaves, into those cheerful songs, which freedom and contentment must inspire. There is a heart-felt satisfaction in reflecting on our exertions for the public weal, which all the sufferings an enraged tyrant can inflict, will never take away; which the ingratitude and reproaches of those whom we have saved from ruin, cannot rob us of. The virtuous asserter of the rights of mankind, merits a reward.

—3.

which even a want of success in his endeavors to save his country, the heaviest misfortune which can befall a genuine patriot, cannot entirely prevent him from receiving.

I have the most animating confidence that the present noble struggle for liberty, will terminate gloriously for America. And let us play the man for our God, and for the cities of our God; while we are using the means in our power, let us humbly commit our righteous cause to the great Lord of the universe, who loveth righteousness and hateth iniquity. And having secured the approbation of our hearts, by a faithful and unwearied discharge of our duty to our country, let us joyfully leave our concerns in the hands of Him who raiseth up and putteth down the empires and kingdoms of the world as He pleases; and with cheerful submission to His sovereign will, devoutly say,

*"Although the fig tree shall not blossom, neither shall fruit be in the vines; the labor of the olive shall fail, and the field shall yield no meat; the flock shall be cut off from the fold, and there shall be no herd in the stalls; yet we will rejoice in the LORD, we will joy in the GOD of our salvation."*

ORATION DELIVERED AT BOSTON, MARCH 6, 1773.

BY DR. JOSEPH WARREN.

*Tante molis erat, Romanam condere gentem.*

VIRGIL'S *Æn.*

*Qui, metuens, vivit, liber mihi non eris unquam.*

HOR. *EPIC.*

MY EVER HONORED FELLOW-CITIZENS,

It is not without the most humiliating conviction of my want of ability that I now appear before you; but the sense I have of the obligation I am under to obey the calls of my country at all times, together with an animating recollection of your indulgence, exhibited upon so many occasions, has induced me, once more, undeserving as I am, to throw myself upon that candor, which looks with kindness on the feeblest efforts of an honest mind.

You will not now expect the elegance, the learning, the fire, the enrapturing strains of eloquence which charmed you when a LOVELL, a CHURCH, or a HAXCOCK spake; but you will permit me to say that with a sincerity equal to theirs, I mourn over my bleeding country: With them I weep at her distress, and with them deeply resent the many injuries she has received from the hands of cruel and unreasonable men.

That personal freedom is the natural right of every man, and that property, or an exclusive right to dispose of what he has honestly acquired

by his own labor, necessarily arises therefrom, are truths which common sense has placed beyond the reach of contradiction. And no man or body of men can, without being guilty of flagrant injustice, claim a right to dispose of the persons or acquisitions of any other man or body of men, unless it can be proved that such a right has arisen from some compact between the parties in which it has been explicitly and freely granted.

If I may be indulged in taking a retrospective view of the first settlement of our country, it will be easy to determine with what degree of justice the late parliament of Great Britain have assumed the power of giving away *that property* which the Americans have earned by their labor.

Our fathers having nobly resolved never to wear the yoke of despotism, and seeing the European world, at that time, through indolence and cowardice, falling a prey to tyranny, bravely threw themselves upon the bosom of the ocean, determined to find a place in which they might enjoy their freedom, or perish in the glorious attempt. Approving heaven beheld the favorite ark dancing upon the waves, and graciously preserved it until the chosen families were brought in safety to these western regions. They found the land swarming with savages, who threatened death with every kind of torture. But savages, and death with torture, were far less terrible than slavery: nothing was so much the object of their abhorrence as a tyrant's power: they knew it was more safe to dwell with man in his most unpolished state, than in a country where arbitrary power prevails. Even *anarchy itself*, that bugbear held up by the tools of power (though truly to be deprecated) is infinitely less dangerous to mankind than *arbitrary government*. *Anarchy* can be but of a short duration; for when men are at liberty to pursue that course which is most conducive to their own happiness, they will soon come into it, and from the rudest state of nature, order and good government must soon arise. But *tyranny*, when once established, entails its curses on a nation to the latest period of time; unless some daring genius, inspired by heaven, shall, unappalled by danger, bravely form and execute the arduous design of restoring liberty and life to his enslaved, murdered country.

The tools of power, in every age, have racked their inventions to justify the *few* in sporting with the happiness of the *many*; and, having found their sophistry too weak to hold mankind in bondage, have impudently dared to force religion, the daughter of the king of heaven, to become a prostitute in

the service of hell. They taught that princes, honored with the name of Christian, might bid defiance to the founder of their faith, might pillage Pagan countries and deluge them with blood, only because they boasted themselves to be the disciples of that teacher who strictly charged his followers to *do to others as they would that others should do unto them*.

This country having been discovered by an English subject, in the year 1620, was (according to the system which the blind superstition of those times supported) deemed the property of the crown of England. Our ancestors, when they resolved to quit their native soil, obtained from King James, a grant of certain lands in North America. This they probably did to silence the cavils of their enemies, for it cannot be doubted, but they despised the pretended right which he claimed there-to. Certain it is, that he might, with equal propriety and justice, have made them a grant of the planet Jupiter. And their subsequent conduct plainly shews that they were too well acquainted with humanity, and the principles of natural equity, to suppose that the grant gave them any right to take possession; they therefore entered into a treaty with the natives, and bought from them the lands: nor have I ever yet obtained any information that our ancestors ever pleaded, or that the natives ever regarded the grant from the English crown: the business was transacted by the parties in the same independent manner that it would have been, had neither of them ever known or heard of the island of Great Britain.

Having become the honest proprietors of the soil, they immediately applied themselves to the cultivation of it; and they soon beheld the virgin earth teeming with richest fruits, a grateful recompense for their unwearied toil. The fields began to wave with ripening harvests, and the late barren wilderness was seen to blossom like the rose. The savage natives saw with wonder the delightful change, and quickly formed a scheme to obtain *that* by fraud or force, *which* nature meant as the reward of industry alone. But the illustrious emigrants soon convinced the rude invaders, that they were not less ready to take the field for battle than for labor; and the insidious foe was driven from their borders as often as he ventured to disturb them. The crown of England looked with indifference on the contest; our ancestors were left alone to combat with the natives. Nor is there any reason to believe, that it ever was intended by the one party, or expected by the other, that the *grantor* should defend and maintain the *gran-*

tees in the peaceable possession of the lands named in the patents. And it appears plainly, from the history of those times, that neither the prince nor the people of England, thought themselves much interested in the matter. They had not then any idea of a thousandth part of those advantages which they since *have*, and we are most heartily willing they should *still continue* to reap from us.

But *when*, at an infinite expense of toil and blood, this widely extended continent had been cultivated and defended: *when* the hardy adventurers justly expected that they and their descendants should peaceably have enjoyed the harvest of those fields which they had sown, and the fruit of those vineyards which they had planted, this country *was then* thought worthy the attention of the British ministry; and the only justifiable and only successful means of rendering the colonies serviceable to Britain were adopted. By an intercourse of friendly offices, the two countries became so united in affection, that they thought not of any distinct or separate interests, they found both countries flourishing and happy. Britain saw her commerce extended, and her wealth increased; her lands raised to an immense value; her fleets riding triumphant on the ocean; the terror of her arms spreading to every quarter of the globe. The colonist found himself free, and thought himself secure: he dwelt *under his own vine, and under his own fig-tree, and had none to make him afraid*: he knew indeed, that by purchasing the manufactures of Great Britain, he contributed to its greatness: he knew that all the wealth that his labor produced centered in Great Britain: But *that*, far from exciting his envy, filled him with the highest pleasure; *that thought* supported him in all his toils. When the business of the day was past, he solaced himself with the *contemplation*, or perhaps entertained his listening family with the *recital* of some great, some glorious transaction which shines conspicuous in the history of Britain: or, perhaps, his elevated fancy led him to foretell, with a kind of enthusiastic confidence, the glory, power, and duration of an empire which should extend from one end of the earth to the other: he saw, or thought he saw, the British nation risen to a pitch of grandeur which cast a veil over the Roman glory, and, ravished with the *prospect*, boasted a race of British kings, whose names should echo through those realms where Cyrus, Alexander, and the Cæsars were unknown; *princes*, for whom millions of grateful subjects redeemed from slavery and Pagan ignorance, should, with thankful tongues, offer up their prayers and praises to that transcendently great and benefi-

cent being, *by whom kings reign and princes decree justice*.

These pleasing connections might have continued; these delightful prospects might have been every day extended; and even the reveries of the most warm imagination might have been realized; but, unhappily for us, unhappily for Britain, the madness of an avaricious minister of state, has drawn a sable curtain over the charming scene, and in its stead has brought upon the stage, discord, envy, hatred and revenge, with civil war close in their rear.

Some demon, in an evil hour, suggested to a short-sighted financier, the hateful project of transferring the whole property of the king's subjects in America, to his subjects in Britain. The claim of the British parliament to tax the colonies, can never be supported but by such a *transfession*; for the right of the house of commons of Great Britain, to originate any tax or grant money, is altogether derived from their being elected by the people of Great Britain to act for them, and the people of Great Britain cannot confer on their *representatives* a right to give or grant any thing which *they themselves* have not a right to give or grant *personally*. Therefore it follows, that if the members chosen by the people of Great Britain, to represent them in parliament, have, by virtue of their being so chosen, any right to give or grant American property, or to lay any tax upon the lands or persons of the colonists, it is because the lands and people in the colonies are, bona fide, owned by, and justly belonging to the people of Great Britain. But (as has been before observed) every man has a right to personal freedom, consequently a right to enjoy what is acquired by his own labor. And it is evident that the property in this country has been acquired by our own labor; it is the duty of the people of Great Britain, to produce some compact in which we have explicitly given up to them a right to dispose of our *persons* or *property*. Until this is done, every attempt of theirs, or of those whom they have deputed to act for them, to give or grant any part of our property, is directly repugnant to every principle of reason and natural justice. But I may holdly say, that such a compact never existed, no, not even in imagination. Nevertheless, the representatives of a nation, long famed for justice and the exercise of every noble virtue, have been prevailed on to adopt the fatal scheme; and although the dreadful consequences of this wicked policy have already shaken the empire to its centre, yet still it is persisted in. Regardless of the voice of reason—deaf to the prayers and supplications—and unaffected with the flowing tears of suffering

millions, the British ministry still hug the darling idol; and every rolling year affords fresh instances of the absurd devotion with which they worship it. Alas! how has the folly, the distraction of the British councils, blasted our swelling hopes, and spread a gloom over this western hemisphere.

The hearts of Britons and Americans, which lately felt the generous glow of mutual confidence and love, now burn with jealousy and rage. Though but of yesterday, I recollect (deeply affected at the ill-boding change) the happy hours that past whilst Britain and America rejoiced in the prosperity and greatness of each other (heaven grant those halcyon days may soon return.) But now the Briton too often looks on the American with an envious eye, taught to consider his just plea for the enjoyment of his earnings, as the effect of pride and stubborn opposition to the parent country. Whilst the American beholds the Briton, as the ruffian, ready *first* to take away his property, and *next*, what is still dearer to every virtuous man, the liberty of his country.

When the measures of administration had disgusted the colonies to the highest degree, and the people of Great Britain had, by artifice and falsehood, been irritated against America, an army was sent over to enforce submission to certain acts of the British parliament, which reason scorned to countenance, and which placemen and pensioners were found unable to support.

Martial law and the government of a well regulated city, are so entirely different, that it has always been considered as improper to quarter troops in populous cities; frequent disputes must necessarily arise between the citizen and the soldier, even if no previous animosities subsist. And it is further certain, from a consideration of the nature of mankind, as well as from constant experience, that standing armies always endanger the liberty of the subject. But when the people on the one part, considered the army as sent to enslave them, and the army on the other, were taught to look on the people as in a state of rebellion, it was but just to fear the most disagreeable consequences. Our fears, we have seen, were but too well grounded.

The many injuries offered to the town, I pass over in silence. I cannot now mark out the path which led to that unequalled scene of horror, the sad remembrance of which, takes the full possession of my soul. The sanguinary theatre again opens itself to view. The baleful images of terror croud around me—and discontented ghosts, with hollow groans, appear to solemnize the anniversary of the *PIRRA* or *PARCA*.

Approach we then the melancholy walk of death. Hither let me call the gay companion; here let him drop a farewell tear upon that body which so late he saw vigorous and warm with social mirth—hither let me lead the tender mother to weep over her beloved son—come widowed mourner, here satiate thy grief; behold thy murdered husband gasping on the ground, and to complete the pompous show of wretchedness, bring in each hand thy infant children to bewail their father's fate—take heed, ye orphan babes, lest, whilst your streaming eyes are fixed upon the ghastly corpse, *your feet slide on the stones bespattered with your father's brains.*\* Enough! this tragedy need not be heightened by an infant weltering in the blood of him that gave it birth. Nature reluctant, shrinks already from the view, and the chilled blood rolls slowly backward to its fountain. We wildly stare about, and with amazement, ask who spread this ruin round us? what wretch has dared deface the image of his God? has haughty France, or cruel Spain, sent forth her myrmidons? has the grim savage rushed again from the far distant wilderness? or does some fiend, fierce from the depth of hell, with all the rancorous malice which the apostate damned can feel, twang her destructive bow, and hurl her deadly arrows at our breast? no; none of these—but, how astonishing! it is the hand of Britain that inflicts the wound. The arms of George, our rightful king, have been employed to shed that blood, when justice, or the honor of his crown, had called his subjects to the field.

But pity, grief, astonishment, with all the softer movements of the soul, must now give way to stronger passions. Say, fellow-citizens, what dreadful thought now swells your heaving bosoms—you fly to arms—sharp indignation flashes from each eye—revenge gnashes her iron teeth—death grins an hideous smile, secure to drench his greedy jaws in human gore—whilst hovering furies darken all the air.

But stop, my bold adventurous countrymen, stain not your weapons with the blood of Britons. Attend to reason's voice—humanity puts in her claim—and sue to be again admitted to her wonted seat, the bosom of the brave. Revenge is far beneath the noble mind. Many, perhaps, compelled to rank among the vile assassins, do from their inmost souls, detest the barbarous action. The winged death, shot from your arms, may chance to pierce

\*After Mr. Gray had been shot through the body, and had fallen dead on the ground, a bayonet was pushed through his skull; part of the bone being broken, his brains fell out upon the pavement.

some breast that bleeds already for your injured country.

The storm subsides—a solemn pause ensues—you spare, upon condition they depart. They go—they quit your city—they no more shall give offence.—Thus closes the important drama.

And could it have been conceived that we again should have seen a British army in our land, sent to enforce obedience to acts of parliament destructive of our liberty. But the royal ear, far distant from this western world, has been assaulted by the tongue of slander; and villains, traitorous alike to king and country, have prevailed upon a gracious prince to cloath his countenance with wrath, and to erect the hostile banner against a people ever affectionate and loyal to him and his illustrious predecessors of the house of Hanover. Our streets are again filled with armed men: our harbor is crowded with ships of war; but these cannot intimidate us; our liberty must be perserved; it is far dearer than *life*, we hold it even dear as our *allegiance*; we must defend it against the attacks of *friends* as well as *enemies*; we cannot suffer even *Barons* to ravish it from us.

No longer could we reflect with generous pride, on the heroic actions of our American forefathers, —no longer boast our origin from that far-famed island, whose warlike sons have so often drawn their well tried swords to save her from the ravages of tyranny; could we, but for a moment, entertain the thought of giving up our liberty. The man who meanly will submit to wear a *shackle*, contemns the noblest gift of heaven, and impiously affronts the God that made him free.

It was a maxim of the Roman people, which eminently conduced to the greatness of that state, never to despair of the commonwealth. The maxim may prove as salutary to us now, as it did to them. Short-sighted mortals see not the numerous links of small and great events, which form the chain on which the fate of kings and nations is suspended. Ease and prosperity (though pleasing for a day) have often sunk a people into effeminaey and sloth. Hardships and dangers (tho' we forever strive to shun them) have frequently called forth such virtues, as have commanded the applause and reverence of an admiring world. Our country loudly calls you to be circumspect, vigilant, active and brave. Perhaps, (all gracious heaven avert it) perhaps, the power of Britain, a nation great in war, by some malignant influence, may be employed to enslave you: but let not even this discourage

you. Her arms, 'tis true, have filled the world with terror: her troops have reaped the laurels of the field: her fleets have roared triumphant on the sea—and *when*, or *where*, did *you*, my countrymen, depart inglorious from the field of fight? *you* too can shew the trophies of your *forefather's* victories and your *own*; can name the fortresses and battles you have won; and many of you count the honorable scars of wounds received, whilst fighting for your king and country.

Where justice is the standard, heaven is the warrior's shield: but conscious guilt unnerves the arm that lifts the sword agvins: the innocent. Britain, united with these colonies, by commerce and affection, by interest and blood, may mock the threats of France and Spain: may be the seat of universal empire. But should America, either by *force*, or those more dangerous engines, *luxury* and *corruption*, ever be brought into a state of vassalage, Britain must lose *her* freedom also. No longer shall she sit the *empress* of the sea: her ships no more shall waft her thunders over the wide ocean: the *wreath* shall wither on her temples: her weakened arm shall be unable to defend her coasts: and she, at last, must bow her venerable head to some proud foreigner's despotic rule.

But if, from past events, we may venture to form a judgment of the future, we justly may expect that the devices of our enemies will but increase the triumphs of our country. I *must* indulge a hope that *Britain's* liberty, as well as *ours*, will eventually be preserved by the virtue of America.

The attempt of the British parliament to raise a

\*The patience with which this people have borne the repeated injuries which have been heaped upon them, and their unwillingness to take any sanguinary measures, has, very injudiciously, been ascribed to cowardice, by persons both here and in Great Britain. I most heartily wish, that an opinion, so erroneous in itself, and so fatal in its consequences, might be utterly removed before it be too late: and I think nothing further necessary to convince every intelligent man, that the conduct of this people is owing to the tender regard which they have for their fellow-men and an utter abhorrence to the shedding of human blood, than a little attention to their general temper and disposition, discovered when they cannot be supposed to be under any apprehension of danger to themselves.—I will only mention the universal detestation which they shew to every act of cruelty, by whom, and upon whomsoever committed; the mild spirit of their laws; the very few crimes to which capital penalties are annexed; and the very great backwardness which both courts and juries discover, in condemning persons charged with capital crimes.—But if any should think this observation not to the purpose, I readily appeal to those gentlemen of the army who have been in the camp, or in the field, with the Americans.



revenue from America, and our denial of their right to do it, have excited an almost universal enquiry into the right of mankind in general, and of British subjects in particular; the necessary result of which must be such a liberality of sentiment, and such a jealousy of those in power, as will, better than an adamant wall, secure us against the future approaches of despotism.

The malice of the *Boston* port-bill has been defeated in a very considerable degree, by giving you an opportunity of *deserving*, and our brethren in this and our sister-colonies an opportunity of *bestowing*, these benefactions which have delighted your friends and astonished your enemies, not only in America, but in Europe also. And what is more valuable still, the sympathetic feelings for a brother in distress, and the grateful emotions excited in the breast of him who finds relief, must forever endear each to the other, and form those indissoluble bonds of friendship and affection, on which the preservation of our rights so evidently depend.

The mutilation of our charter, has made every other colony jealous for its own; for *this*, if once submitted to by us, would set on float the property and government of every British settlement upon the continent. If charters are not deemed sacred, how miserably precarious is every thing founded upon them.

Even the sending troops to put these acts in execution, is not without advantages to us. The exactness and beauty of their discipline inspire our youth with ardor in the pursuit of military knowledge. Charles the *invincible*, taught Peter the *great*, the art of war. The battle of Pultowa convinced Charles of the proficiency Peter had made.

Our country is in danger, but not to be despaired of. Our enemies are numerous and powerful—but we have many friends, determining to *be free*, and Heaven and earth will aid the *resolute*. On you depend the fortunes of America. You are to decide the important question, on which rest the happiness and liberty of millions yet unborn. Act worthy of yourselves. The faltering tongue of hoary age calls on you to support your country. The lisping infant raises its suppliant hands, imploring defence against the monster slavery. Your fathers look from their celestial seats with smiling approbation on their sons, who boldly stand forth in the cause of virtue; but sternly frown upon the inhuman miscreant, who, to secure the loaves and fishes to

himself, would breed a serpent to destroy his children.

But, pardon me, my fellow-citizens, I know you want not zeal or fortitude. You will maintain your rights or perish in the generous struggle. However difficult the combat, you never will decline it when freedom is the prize. An independence of Great Britain is not our aim. No, our wish is, that Britain and the colonies may, like the oak and ivy, grow and increase in strength together. But whilst the infatuated plan of making one part of the empire slaves to the other is persisted in, the interest and safety of *Britain*, as well as the *colonies*, require that the wise measures, recommended by the honorable the continental congress, be steadily pursued; whereby the unnatural contest between a parent honored, and a child beloved, may probably be brought to such an issue, as that the peace and happiness of both may be established upon a lasting basis. But if these pacific measures are ineffectual, and it appears that the only way to safety, is through fields of blood, I know you will not turn your faces from your foes, but will, undauntedly, press forward, until tyranny is trodden under foot, and you have fixed your adored goddess LIBERTY, fast by a BRUNSWICK's side, on the American throne.

You *then*, who nobly have espoused your country's cause, who generously have sacrificed wealth and ease—who have despised the pomp and shew of tinsel greatness—refused the summons to the festive board—been deaf to the alluring calls of luxury and mirth—who have forsaken the downy pillow, to keep your vigils by the midnight lamp, for the salvation of your invaded country, that you might break the fowler's snare, and disappoint the vulture of his prey; you then will reap that harvest of renown which you so justly have deserved. Your country shall pay her grateful tribute of applause. Even the children of your most inveterate enemies ashamed to tell from whom they sprang, while they, in secret, curse their stupid, cruel parents shall join the general voice of gratitude to those who broke the fetters which their fathers forged.

Having redeemed your country, and secured the blessing to future generations, *who*, fired by your example, shall emulate your virtues, and learn from you the heavenly art of making millions happy with heart-felt joy—with transports all your own FOR EAT, THE GLORIOUS WORK IS DONE. Then drop the mantle to some young ELISHA, and take your seats with kindred spirits in your native skies.

ORATION DELIVERED AT WATERTOWN,\* MARCH 5, 1776,  
BY PETER THACHER, M. A.

Auctum in præto timidus pæcebat senex  
Iæ, hostium clamor subito territus,  
Sensit hoc animo fugere, ne possent capi.  
At ille lenius: quæso, num binas mihi,  
Clitellas impositurum victorem putas?  
Senex negavit. Ergo quid refert mea,  
Cui serviam? Clitellas dum portem mea.—*Phædrus.*

*My friends*—When the ambition of princes induces them to break over the sacred barriers of social compact, and to violate those rights, which it is their duty to defend, they will leave no methods untried to bring the people to acquiesce in their unjustifiable encroachments.

In this cause, the pens of venal authors have, in every age, been drawn: with Machiavilian subtilty, they have labored to persuade mankind, that their public happiness consisted in being subject to uncontrolled power; that they were incapable of judging concerning the mysteries of government; and that it was their interest to deliver their estates, their liberties, and their lives, into the hands of an absolute monarch.

Mitred hypocrites, and cringing, base-souled priests, have impiously dared to enlist the oracles of God into the service of despotism; to assert that, by the command of the supreme law-giver, we are bound to surrender our rights into the hands of the first bold tyrant who dares to seize them; and that when they are so seized, it is rebellion against God, and treason against the prince, for us to attempt to resume them.

Depraved as is the human understanding, it hath yet strength enough to discern the ridiculous fallacy of these assertions: the votaries of ignorance and superstition may, indeed, be imposed upon by them. When we place unlimited confidence in our civil or spiritual fathers, we can swallow, with ease, the most improbable dogmas: but there are feelings in the human heart, which compel men to recognize their own rights—to venerate the majesty of the people—and to despise the insult which is offered to their understandings by these degrading absurdities. Had princes no other methods to accomplish their purposes, could they not establish their usurpation, without convincing men's judgments of their utility? they would be more harmless to mankind than they have ever yet been. They might be surrounded with the fascinating gewgaws of regal pomp; a few parasites might bow the knee before these idols of their own creating; the weak and the wicked might obey their

mandates; but the baneful influence which they now have upon the interests of individuals, and of society, would come to a period: they would not revel in the spoils of nations, nor trample upon the ruins of public liberty.

Conscious of this, they have used arguments, and pursued methods, entirely different from these, to effect their designs; instead of convincing the understandings, they have addressed themselves to the passions of men: the arts of bribery and corruption have been tried with a fatal success; men, we know, have sold their children, their country, and their God, for a small quantity of painted dirt, which will perish with the using.

Extensive as are the revenues of princes, they are still inadequate to the purpose of bribing large communities to submit to their pleasure; corrupting therefore a few, they have overawed the rest; from small beginnings, and under specious pretenses, they will raise a standing military force, the most successful engine ever yet wielded by the hand of lawless domination.

With such a force, it is easy for an ambitious prince, possessed by nature of very slender abilities, to subvert every principle of liberty in the constitution of his government, and to render his people the most abject of slaves: if any individual feels the injury done to his country, and wishes to restore it to a state of happiness, with a bayonet at his breast, a dragoon will compel him to silence; if the people, awakened to see their interest and their duty, assemble for the same purpose, a military force is at hand to subdue them, and by leaden arguments, to convince them of their error.

An easy task would it be to enlarge upon the fatal consequences of keeping up such a standing army in time of peace, and of quartering a lawless body of men, who despise the just restraints of civil authority, in free and populous cities: that no vestige of freedom can remain in a state where such a force exists: that the morals of the people will be gradually corrupted: that they will contract such an habit of tame submission, as to become an easy prey to the brutal tyrant who rules them, hath been heretofore largely and plainly demonstrated, by persons so much more capable of doing it, than he who is speaking, that it would be presumption in him to attempt it now.

There is no need of recurring to the ancient histories of Greece and Rome, for instances of these truths. The British nation, once famous for its attachment to freedom, and enthusiastically jealous of its rights, is now become a great tame

\*Boston was at this time garrisoned by the British troops, and the inhabitants were in the country, which occasioned this oration to be delivered at Watertown.

beast, which fetches and carries for any minister who pleases to employ it.

Englishmen have been wont to boast of the excellence of their constitution; to boast that it contained whatever was excellent in every form of government hitherto, by the wit of man, devised: in their king, whose power was limited, they have asserted that they enjoyed the advantages of monarchy, without fear of its evils: while their house of commons, chosen by the suffrages of the people, and dependent upon them, represented a republic, their house of peers, forming a balance of power between the king and the people, gave them the benefit of an aristocracy. In theory, the British constitution is, on many accounts, excellent; but when we observe it reduced to practice, when we observe the British government, as it has been, for a long course of years administered, we must be convinced that its boasted advantages are not real: the management of the public revenue, the appointment of civil and military officers, are vested in the king: improving these advantages which these powers give him, he hath found means to corrupt the other branches of the legislature; Britons please themselves with the thought of being free; their tyrant suffers them to enjoy the shadow, whilst he himself grasps the substance of power. Impossible would it have been for the kings of England to have acquired such an exorbitant power, had they not had a standing army under their command: with the officers of this army, they have bribed men to sacrifice the rights of their country: having artfully got their arms out of the hands of the people, with their mercenary forces they have awed them into submission. When they have appeared, at any time, disposed to assert their freedom, these troops have been ready to obey the mandates of their sovereign, to imbrue their hands in the blood of their brethren.

Having found the efficacy of this method to quell a spirit of liberty in the people of Great Britain, the *righteous* administration of the *righteous* king George the third, determined to try the experiment upon the people of America. To fright us into submission to their unjustifiable claims, they sent a military force to the town of Boston. This day leads us to reflect upon the fatal effects of the measure! by their intercourse with troops, made up in general of the most abandoned of men, the morals of our youth were corrupted: the temples and the day of our God were scandalously profaned: we experienced the most provoking insults; and at length saw the streets of Boston strewed

with the corpses of five of its inhabitants, murdered in cool blood, by the British mercenaries.

The indignant rage which swelled your bosoms upon this occasion—the fortitude and humanity which you discovered—the anguish of the friends and relatives of the dead and wounded, with all the horrors of that memorable night, have been painted in vivid colors by an HANCOCK and a WARREN; they have shewn the necessity of those exertions made by the town, which defeated, at that time, the designs of the enemies to American liberty, and preserved us, for the present, from the calamities of war.

But the past year hath presented us with a tragedy more striking, because more extensive, than this: a tragedy, which more plainly proves the fatal effects of keeping up standing armies in time of peace, than any arguments whatsoever. We have seen the ground crimsoned with the gore of hundreds of our fellow-citizens;—we have seen the first city in America, for wealth and extent, depopulated—we have seen others destroyed, and heard our savage enemies breathing out thirstings for our blood.

Finding their arts insufficient to flatter, or their treasures to bribe, the people of America out of their freedom, the British government determined, by force, to subjugate them to their arbitrary will; in consequence of this determination, a large party of their troops marched from Boston, on the morning of the ever memorable nineteenth of April last: flushed with the hopes of certain victory, and defying the armies of the living God, they broke through every divine and political obligation; they wanted in cruelty; they shed again American blood.

Aroused by the unprovoked injury, like a lion awaking from his slumber, we sprang to arms! we felt ourselves inspired with the spirit of our ancestors; we heard our brethren's blood crying to us for vengeance; we rushed into the midst of battle: we compelled our enemies to betake themselves to disgraceful flight; we pursued them with avidity, and desisted not till they took refuge in that city, of which, by fraud and treachery, they had possessed themselves.

Trusting to the divine protection, from that hour we determined never to sheathe the sword, till we had reparation for our injuries; till we had secured our own freedom and the freedom of our posterity: from that hour the den of enemies hath been surrounded by an American army, *brave and determined*: although they had before boasted of

their superiority to all the troops in the world, they have scarcely dared to set their feet out of their strong holds since that time; and instead of ravaging the American continent in a single campaign, with a single regiment, they have proceeded—*one mile and an half* in the conquest of it.

The heights of Charlestown witnessed to the world, that Americans, fighting in the cause of freedom, were a formidable foe: although they were surrounded by troops hitherto deemed invincible; although they saw the habitations of their countrymen enveloped with flames; although cannon roared on every quarter, and they beheld scenes of desolation and bloodshed, to which they were entirely unused, yet they retired not till they had compelled their enemy twice to retreat, and had expended the whole of their ammunition: the British forces gained the ground, but they lost the flower of their army.

From one end of the continent to the other, a series of successes hath attended the American arms; instead of having troops of savages poured down to our frontiers (which the murderous policy of the tyrant of Britain induced him to attempt) we have, through the favor of heaven, carried our victorious arms into the very bowels of Canada; instead of having our stores and provisions cut off by the enemy, we have made important captures from them: success hath crowned our enterprises, while disappointment hath followed those who oppose us.

That elation of spirit, which is excited by our victories, is damped by our feeling the calamities of war. To hear the expiring groans of our beloved countrymen; to behold the flames of our habitations, once the abodes of peace and plenty, ascending to Heaven; to see ruin and desolation spread over our fruitful villages, must occasion sensations in the highest degree painful.

This day, upon which the gloomy scene was first opened, calls upon us to mourn for the heroes who have already died in the bed of honor, fighting for God and their country. Especially, does it lead us to recollect the name and the virtues of general WARREN! the kind, the humane, the benevolent friend, in the private walks of life; the inflexible patriot, the undaunted commander in his public sphere, deserves to be recollected with gratitude and esteem! this audience, acquainted, in the most intimate manner, with his numberless virtues, must feel his loss, and bemoan their beloved, their entrusted fellow-citizen! ah! my countrymen, what tender, what excruciating sensations rush at once

upon our burdened minds, when we recall his loved ideal when we reflect upon the manner of his death; when we fancy that we see his savage enemies exulting o'er his corpse, beautiful even in death, when we remember that, destitute of the rites of sepulture, he was cast into the ground, without the distinction due to his rank and merits; we cannot restrain the starting tear, we cannot repress the burning sigh! we mourn thine exit, illustrious shade, with undissembled grief; we venerate thine exalted character; we will erect a monument to thy memory in each of our grateful breasts, and to the latest ages, will teach our tender infants to lisp the name of WARREN, with veneration and applause!

When we traverse the Canadian wilds, and come to the plains of Abraham, where WOLFE once fell, we are there again compelled to pay a tribute to exalted merit, and to lament the fall of the great MONTGOMERY! warmed with a spirit of patriotism, too little felt by his venal countrymen, he espoused the cause of American freedom: he left domestic ease and affluence: he girded on the sword which he had long laid aside, and *jeopardized his life in the high places of the field*: victory followed his standard; she hovered over his head, and crowned it with the laurel wreath; she was just ready to hail him the conqueror of Canada, when the fatal sisters snapped, in a moment, the thread of life, and seized, from his eager grasp, the untasted conquest! Americans, bear witness to his humanity and his valor, for he died fighting in your cause, and the cause of mankind! let his memory live in your breasts; let it be handed down to your posterity, that millions yet unborn may *rise up and call him blessed!*

The tender feelings of the human heart are deeply affected with the fate of these and the other heroes who have bled and died, that their country may be free: but at the same time, sensations of indignant wrath, are excited in the breast of every friend to freedom: he will listen to the voice of their blood, which cries aloud to heaven and to him, for vengeance! he will feel himself animated with new vigor in the glorious cause: nothing daunted by their untimely fate, he will rush into the midst of danger, that he may share their glory and avenge their death! every idea which can warm and animate him to glorious deeds, will rush at once upon his mind; and, when engaged in the warmest battle, he will hear them, from their heaven, urging him to action: he will feel their spirits transfuse into his breast; he will sacrifice whole hecatombs of their murderers to their illustrious man.

Indeed, my countrymen, the people of America have every thing to animate and encourage them in the present contest. Formidable as was once the power of the British lion, he hath now lost his teeth; universal dissipation hath taken place of that simplicity of manners, and hardness of integrity, for which the nation was once remarkable: the officers of the British army, instead of inuring themselves to discipline, and seeking for glory in the blood-stained field, wish alone to captivate the softer sex, and triumph over their virtue. The legislature of Great Britain is totally corrupt; her administration is arbitrary and tyrannical; the people have lost their spirit of resentment; and, like the most contemptible of animals, *bow the shoulder to bear, and become servants unto tribute*. The national resources are cut off; she is loaded with an intolerable public debt; she is become the scorn of those foreigners to whom she was once terrible; and it is easy to see that her glory is in the wane.

How different from this is the present state of our country; descended from a race of hardy ancestors, who loved their freedom better than they loved their lives, the Americans are jealous of the least infringement of their rights; strangers to that luxury, which effeminates the mind and body, they are capable of enduring incredible hardships; with eagerness they rush into the field of battle, and brave, with coolness, every danger; they possess a rich and a fruitful country, sufficient to supply them with every necessary and convenience of life; they have inexhaustible resources for carrying on war, and bid fair soon to be courted for their alliance, by the proudest monarchs of the earth. Their statesmen are equal to the task of forming and defending a free and extensive empire: their generals are brave and humane, intrepid and prudent. When I name a WASHINGTON, my audience will feel the justice of the remark, and acquit me of the charge of flattery.

Possessed of these advantages, we should be inexcusable to God, to our posterity, to the whole world, if we hesitated, a single moment, in asserting our rights and repelling the attacks of lawless power. Freedom is offered to us, she invites us to accept her blessings; driven from the other regions of the globe, she wishes to find an asylum in the wilds of America; with open arms let us receive the persecuted fair; let us imitate the example of our venerable ancestors, who loved and courted her into these desert climes. With determined bravery, let us resist the attacks of her impudent ravishers; by resolution and firmness we may

defend her from their power, and transmit her blessings to millions upon millions of our posterity. Let us then arouse to arms; for, upon our exertions, under God, depends their freedom; upon our exertions depends the important question, whether the rising empire of America, shall be an empire of slaves or of freemen.

Animated by these considerations, my friends and fellow-citizens, let us strain every nerve in the service of our country! what are our lives when viewed in competition with the happiness of such an empire! what is our private interest when opposed to that of three millions of men! let our bosoms glow with the warmth of patriotism; let us sacrifice our ease, our fortunes, and our lives, that we may save our country.

That a spirit of public virtue may transcend every private consideration, you, the respected inhabitants of the town of Boston, have plainly manifested: with pleasure you have sacrificed what selfish men hold most dear, to save this oppressed land! with firmness you have resisted every attack of arbitrary power! like the sturdy oak, you have stood unmoved, and to you, under God, will be owing the salvation of this extensive continent.

We feel, my beloved friends, our obligations to you! our hearts confess them; we cordially wish it were in our power to reward you for your patriotism; to restore you to that ease and affluence of which, for our sakes, you have deprived yourselves it is not. But our morning and evening petitions; to the guardian God of America shall be, that he will bless and reward you.

With transport, my countrymen, let us look forward to the bright day, which shall hail us a free and independent state. With earnestness let us implore the forgiveness and the patronage of the Being of all beings, who holds the fate of empires in his hands! with zeal let us exert ourselves in the service of our country, in life: and when the earthly scene shall be closing with us, let us expire with this prayer upon our quivering lips, O GOD LET AMERICA BE FREE!

ORATION DELIVERED AT BOSTON, MARCH 5, 1777,  
BY BENJAMIN HICHBORN, ESQ.

*Tum vos, O Tyrii, stirpem et genus omne futurum  
Exercete odium; cinerique hec mittite nostro  
Munera: nullus amor populi, nec fœdera sunt.*—*Virgil.*

*Friends and countrymen!*—Leaving apologies for my inability to act the part I am to take, in this day's solemnity, to those who might have remedied the evil, by a more suitable appointment, I shall offer my sentiments upon the subject with the same freedom that I conceived them.

The advantages of social life, are the result of such evident necessity, so extensively diffusive and universally felt, that all mankind will readily acknowledge their existence without the aid of metaphysics or history.

The right that every individual has to reason freely upon the nature of that government he is called to submit to, having nature for its source, is no less obvious and perceptible—and hence, as a necessary foundation for the exercise of this right, I define civil liberty to be, not “a government by laws,” made agreeable to charters, bills of rights or compacts, but a power existing in the people at large, at any time, for any cause, or for no cause, but their own sovereign pleasure, to alter or annihilate both the mode and essence of any former government, and adopt a new one in its stead.

Placing ourselves then upon this broad basis of *civil liberty*, founded on *natural right*, we will, unawed by the *standing armies* of any tyrant's tools,\* or monarchs, deliberate freely upon the nature of their institutions, and their dangerous tendency to the rights of man.

Every military force must necessarily imply a right of exercising an arbitrary power, so far as respects the objects against which it is to be directed; and what will be the objects, against which it will be in constant exercise, in proportion to its extent, we may collect from the experience of ages, and the well known source of human actions.

The page of history seldom groans with the calamities of mankind, but we may trace the source of their unhappiness to this engine of oppression.

Projected in the blackest principles of the human mind, and supported by ambition and a lust of unbounded sway, this *armed monster* hath spread havoc and misery throughout the world. We find the bloody traces of its footsteps through all the ruins of greatness and freedom, either in ancient or modern times: the most free and opulent cities of the world, by conniving at its birth, have, at last, fallen a prey to its relentless fury.†

While we are ravished with the politeness, wisdom, and greatness of the *Grecian states*, we can scarce believe that the productions of such art.

\*The petty states and princes who have raised their armies as a peasant would his game cocks, and sent them to market for a price, are in the most infamous sense of the word, tools.

†Pisistratus of Athens, Dionisius of Syracuse, and Caesar of Rome, furnish a few among numberless examples, that history affords.

refinement, and learning, should ever be subdued by a power that never could have crept into life, but through the channel of *their indulgence*.

But alas! their fate remains a standing monument of this truth; that freedom, at sufferance, is a solecism in politics.

To avoid the pain that humanity must suffer, upon finding so few instances of virtue that have been proof against the temptations to prostitute a delegated power, I am inclined to think, that the great rousers of societies has caused the course of infatuated ambition, and relentless cruelty, to be entailed on those whose vanity may lead them to assume *his* prerogative among any of his people as they are cantoned about in the world, and to prevent mankind from paying that adoration and respect to the most dignified mortal, which is due only to *infinite wisdom and goodness*, in the direction of *almighty power*, and therefore that he alone is fit to be a monarch.

Were we to traverse the whole field of human transactions, and expect any where to find an exemption from this general charge, we should most naturally fix our eyes upon the Roman—but how mortified do we find ourselves by the survey?

At the very time this people were most famed for their virtue and greatness—while they were regaling themselves with luxurious ease in the lap of freedom—the provinces, they obtained by fraud and violence, were suffering under every species of the vilest servitude, and made to contribute to that very ease and luxury at the discretion of the most merciless unfeeling task-masters.

But they themselves, by the same tools they had armed to execute their bloody purposes, in their turn, became the subjects of the same kind of oppression they so liberally dealt out to others, and stand recorded in history equal monuments of the greatness and depravity of human nature.

Taught by the experience of former ages, that a general, at the head of an armed force, would ever make himself superior to the laws, Europe, for several centuries, raised effectual barriers against the danger (and, I may say, the possibility) of their usurpations; for the tenure\* of their lands, though they acknowledge a superior lord, was upon conditions so abhorrent to the idea of standing armies, that it offered at once, both a promise and a pledge against them.

But to convince us that no human institutions can insure permanent felicity to mankind—*security*,

\*The feudal tenure.

the offspring of ease and freedom, opened the door for one enterprising usurper after another,\* till the inhabitants of the whole eastern world had but little left of the property of their species but what they possessed in their *shape*.

Strange metamorphosis! but is it not much stranger still, to see these pitiable wretches stripped of every enjoyment that can render life a blessing, meanly courting favor and protection from the tyrants who enslaved them, and easily mistaking the *chains of servitude* for the *garb of nature*?

The *formalities of a free*, and the *ends of a despotic* state (says a modern writer) have often subsisted together; Britain furnishes a most unhappy example of this shocking truth: as if the relish of liberty was pampered to make slavery itself more intolerably loathsome, they feel all the mortifying consequences of the barest servitude, and are left to console themselves with this consideration, that the weight of their grievances can never be increased while they are *complimented*, or rather *tantalized* with the name of *freemen*. These are some of the glorious effects of standing armies among *foreign nations*. Let us now consider their consequences in that part of the world, in whose affairs we take a more interesting part.

It is easy to conceive that those men who would not scruple to make use of every artifice and violence to reduce the very people to whose generosity they were indebted for their splendor, wealth, and greatness, to a state of vassalage, would never hesitate to make their conquests as extensive as their power;—they can feel the influence of no *law* but that of the *sword*, and therefore (whatever may be their pretensions) you will, in every case, find them ultimately make an appeal to its decisions.

If such are the *governors*, what must the *people* be? having been robbed of liberty themselves, without the faintest struggle in its defence,† they are just fit to be made the instruments of wresting it from others.

How can we expect that they who know nothing of the happiness of freedom themselves, should feel any reluctance at reducing all mankind to their own disgraceful situation? indeed the reverse is true, for we generally find them taking an unnatural

pleasure in stripping others of the noblest ornaments and gifts of nature, to countenance their own deformity and wretchedness.

A trifling farce, therefore, upon the question of *right* in parliament, was all the previous parade that was thought necessary to the introduction of a standing army, with all the ensigns of war, into the bowels of our country.

It is needless to recount the various preludes to hostilities, the fatal day we now commemorate, opened a scene that filled every honest mind with indignation, and every tender heart with distress.\* —It is impossible for any who were not witnesses of that shocking event, to conceive the terrors of that dreadful night, and they who *were* must have images of horror upon the mind they never can communicate.

The variety of contending passions that once fall upon and distract the mind, upon the arrival of such an important crisis, can never be realized but *once*.

To see the peaceful inhabitants of a city, deliberately murdered by the very men, who, in pretence, were supported for their protection—to hear the piercing groans—to see the mangled bodies and ghastly visages of the dying and the dead—to hear the shrieks and cries of the timid, with the promiscuous, mingling horrid sound of arms, execrations, and vengeance, produced a scene of confusion and wretchedness, so complicated and complete, that the power of the richest language must ever fail in describing it.†

The eye of pity is yet called to drop a tear at the sufferings, and patriotism to pour the balm of charity over the wounds of half-murdered citizens, dragging out a miserable life, and fresh bleeding with the blows aimed at our country.

We could dwell, with a melancholy pleasure, on this sad catastrophe, did not a more ample field of violence, bloodshed, and cruelty, demand our attention.

The palpable absurdity of making use of the *name of a king*, to give a sanction to those very operations which were carrying on *against him*, has been so sensibly felt, through all ranks of men, that we have not yet altogether got rid of its disagreeable effects.

And I must confess I should blush at the ludicrous

\*Charles VII. Lewis XI. of France, having set the example, all the crowned heads in Europe soon followed it.

†The murder of two or three people in St. George's fields, seems to be all the ceremony attending the death and burial of British liberty.

Quis talia fando,  
Myrmidonum, dolopumve, aut duri miles Ulyssæi,  
Temperet a lacrymis. Virgil.

†Non mihi si linguæ centum sint, oraque centum.  
Færa vox, omnes acierum comprehendere formas. Virgil.

figure in which this part of our history must exhibit to view, in future time, were we not countenanced by the same, or more striking inconsistencies which are to be found attendant (and perhaps necessarily so) upon all important revolutions.

We can easily conceive a mixture of prejudice and fear, that will excite such awful ideas of the person, to whom we have been taught from our cradles, to annex the properties of a *most gracious sovereign, most sacred majesty*, and a train of such God-like attributes, as would make us feel conscious of a degree of impiety, in calling a villain by his proper name, while shrouded under this garb of sanctity.

But it is exceedingly diverting to view the influence of this chimerical divinity in those who are made the immediate tools of supporting it—they will tell you it is a task most ungrateful to men of their sensibility and refinement, to be made the instruments of sending fire and death indiscriminately among the innocent, the helpless, and the fair—but they have sworn to be faithful to their sovereign, and were they ordered to scale the walls of the new Jerusalem, they should not dare to decline the impious attempt.

Were it not for this ridiculous faith in the omnipotence of the tyrant whom they serve, we must suppose them fools or madmen:—Indeed that very faith, would justify the charge of extreme madness and folly against all mankind, who had not been nurtured in this cradle of infatuation.

Were it not for the indulgence that a generous mind will always shew to the weakness and prejudices of the worst of men, many whom the chance of war has thrown into our hands, must have felt the severity and contempt of a justly enraged people, while they, with all their vanity and ostentation, remain the *unhurt objects of our pity*.

It is surely rather a subject of merry ridicule, than deserving of serious resentment, to see many of this kind of gentry affecting to deny the character of prisoners, and attributing that indulgence which is the effect of unparalleled generosity, to the mean motive of fear; but we will let them know, that they cannot provoke us even to justice in the line of punishment, and we leave them to their own consciences and the impartial censures of surrounding nations, to make some returns for the unexampled cruelties that many of our friends have suffered from their barbarous hands;\* in lieu of that

\*Captain Johnson and his crew, the prisoners in general at New York and Halifax, Mr. Lovell and many others in Boston, are instances sufficient to

severity, which, however just, humanity shudders to inflict. But we cannot think it strange to find people in the subordinate departments of life, influenced by such ridiculous notions, while their haughty masters seem to labor under the misfortune of the same infatuation.

Slaves always rate the consequence of those they serve, by the treatment they receive from them, and wonder that others do not feel the weight of the same importance.

To call men of distinguished rank, in any government, knaves, fools and scoundrels, however they may deserve it, is esteemed neither polite or decent: I am, therefore, at a loss for names while I am describing the oppressors of my country. Who, without deserving these reproachful appellations, could have conceived the horrid wish of decking his crown with the idle plume of foreign empire at the expense of the peace, wealth, and very being of a nation? and who but a *pompous blockhead*, in the execution of this impious design, could expect to conquer a hardy, virtuous set of men, by ineffectual threats and empty promises, contained in a set of proclamations, he wanted either courage or power to disperse among the people they were designed to subdue?†

Possibly they may conceive the length of their master's purse, at the rate of thirty crowns a man, to be equal to all the armed force of Europe, and therefore they should be able ultimately to effect that by the point of the bayonet, which they rather wished, than *expected*, to obtain on any other terms.

Here let us pause, and for the honor of our species, give a moment to reflection upon this shocking idea! is it possible that any race of men, should be so lost to a sense of the rights of nature, and the dignity of their rank in the chain of beings, as to suffer themselves (like the horses which they ride) to be tutored to the field of war, to have a price set upon their lives, which their masters will

destroy the little credit they ever had for humanity; and the sufferings of some to which I have myself been a witness, exposed to all the inconveniences and hazards of a languishing disease in confinement on ship board, in view of the persons and habitations of their nearest friends, and a sympathizing parent turned over the side with reproaches, for attempting to speak to his sick, suffering, dying child, must give the characters of the polite, sensible, humane admiral Graves, and his nephew Sam, a stamp of infamy, which the power of time can never wipe away.

†The generals Gage and Howe, have been playing this warlike game ever since they have been in the country.



receive, and then be sold into the service of *lust, ambition and avarice*, and become the tools of eternal war against the lives, the properties, and freedom of the rest of mankind.

But, thanks to heaven! this black combination of passions, supported by the unmasked tyrant of Britain, with all the mercenary forces of his powerful and extensive allies, have hitherto proved unsuccessful (and I trust in God they ever will) in every effort to contaminate the only column of free air in *both hemispheres*; however, one advantage we derive from their open attempts, which is to expect no security for ourselves, but in their ruin; deliberate murders, indiscriminate plunder, and the most barbarous violence upon the delicacy and virtue of the fair, have marked the few paces of *imaginary conquest* they have trod.\*

Methinks I see the tender parent, frantic with rage, defying hosts of ruffians armed, and courting death in every form, rather than live the witness of his daughter's shame;—ah! hear the shrieks of virgin innocence calling in vain for succour from that arm which oft defended her! but see the helpless victim of their British lust, in wild despair, wringing her *guiltless hands*, with looks to heaven, as if, without a crime, she had lost her only title to those pure abodes! where is the *coward heart* that does not beat to arms, and glow with unusual ardor for revenge!

Where are friends to reconciliation, with these foes to virtue? they will tell us their power is formidable, and it is wise to accommodate ourselves to the requisitions of superior force—as soon I'd tamper with the power of hell! for

—“Tis the worst of slavery  
“Tame to bend our necks beneath the yoke  
“And suffer fraud to talk us out of freedom.”

They wish not to sooth but to destroy us; and if this stale artifice of tyrants should succeed, we well deserve the ruin it insures.—they never ask for what they can demand, and impotence alone prevents a *general carnage*.

Does courage want a stimulus in the defence of virtue? let us cast our eyes on the example of our illustrious general; equally beyond the reach of calumny and encomium, the tongue of slander has never dared to attack him, while the ablest panegyrist must blush when he is attempting to give him *half* the eulogiums which are his due.

The generous sacrifice he has made of private

\*See accounts of their proceedings in the *Journals*, and general orders in the *orderly book* taken at Trenton.

interest, domestic felicity, and all the consequent refined enjoyments of social life, to the exigencies of his country in the field of war:—the cheerfulness with which he has sustained all the hardships, anxieties, and disappointments of two important campaigns, against a formidable body of well disciplined veterans, with an army composed of men different in their manners, and unused to the discipline of a camp, without exciting the smallest jealousies in the *civil rown* on the one hand, or giving occasion for the faintest murmurs among his *soldiers*, on the other: and finally, when his enemies were at the zenith of their glory, and, in imagination, already in possession of a conquered world;—*with the remnant of his expiring army*, to resume the field, and with *this handful* of his chosen followers, disperse, destroy, or captivate whole hosts of foes, must excite sentiments of affection, gratitude, and esteem, that border upon *adoration*.

Did not a life of the most disinterested patriotism and unremitted ardor in the cause of virtue and of mankind, point him out as an exception to the charge we have so fully supported against all who lived before him, I should dread more from the virtues of this *great man*, than from all the standing armies in the world.

But so full a confidence do I possess in his inviolable attachment to the rights of humanity and the cause of freedom, that in some future *emergencies* of the state (produced perhaps by the shifting fortune of war) to his instinctive goodness and excentric operations, I would most cheerfully commit supreme command.

I will explain my sentiments upon this subject, by those of a friend, in his own words.

“Tis best that *reason* govern man,  
’Tis calm, deliberate, wise,  
Yet *passions* were not given in vain,  
Here then the difference lies.

*Reason*, tho’ *sure*, too slow is found  
In great emergencies,  
While *passion* instant feels the wound,  
As quick the cure applies.

Yet *that* must not due bounds transgress,  
But move at *reason*’s nod,  
Submit at last to her decrees  
And own her for the God.

’Twas thus the synod of our land,  
The *reasoning* power of state,  
Gave *WASHINGTON* supreme command  
And made his orders fate.

Yet as *necessity* impelled  
The step—when that is past  
The senate shall resume the field  
And reign supreme at last.”

In support of such a cause, directed by such a leader, who would think his life too dear a sacrifice?—let the mean, base, groveling soul, that wishes for security on *any terms*, through fear forget he is a man, cringe to the creature he despises, smile on the man he hates, alternately shake hands with vice and virtue, and court protection from the power he wishes to destroy!—let us, my friends, determine to maintain our sacred rights, or perish in the attempt,\* with vigor urge the war, frown on our foes wherever we meet them, despise their *mercy* when we feel *power*, and from this moment hold ourselves beyond the reach of *pardon*.

ORATION, DELIVERED AT BOSTON, MARCH 5, 1778,

BY JONATHAN W. AUSTIN, ESQ.

—*Multaque rubentia Cede*

*Lachrysa saxa madent, nulli sua profuit Atlas—Lucan, Lib. 2.*

—*Hic ubi barbarus hostis,*

*Ut fera plus valeant legibus arma facit—Ovid de Ponto.*

*Quis cladem illius noctis, quis fuera fundo*

*Explicet? aut possit lachrymis sequare labores?*

*Plurima perque vias sternuntur inertia passim*

*Corpora.—Virgil 2d Æneid.*

*My friends and fellow citizens.*—To weep over the tomb of the patriot—to drop a tear to the memory of those unfortunate citizens, who fell the first sacrifice to tyranny and usurpation, is noble, generous and humane. Such are the sentiments that influence you, my countrymen, or why, through successive periods, with heart-felt sensations, have you attended this solemn anniversary, and paid this sad tribute to the memory of your slaughtered brethren. Nor is the circle contracted—the most amiable part of the creation share the grief, and, soft pity beaming in their countenances, like the *daughters of Israel*, annually lament the fate of others, and weep over the miseries of their country.† Come then, my friends, let us enter the solitary courts of death, and, perhaps, an hour spent in such reflection, may afford as solid improvement as nature in her gayest scenes.

To commemorate the deaths of those men who fell unhappy victims to brutal violence—to show the danger and tendency of standing armies in populous cities in time of peace, the origin of this fatal catastrophe—to trace its connexion and effects, as they have been, and are now displayed, in different parts of America, I take to be the design of this day's solemnity.

It appears to me needless to enter into the nature and ends of civil government, and to evince that standing armies are a solecism in such a constitu-

\**Justum et tenacem, propositi virtutem,*

*Non civium ardor, prava jubentium*

*Non vultus instantis tyranni*

*Mente quatit solida:—*

†Judges, xi. 39, 40.

tion. Such sentiments are founded in nature, and have, for ages, under different meridians, been fully displayed by men who knew the rights of nature and mankind. The names of LOCK, STONER and HAMPDEN, have long been illustrious, and my countrymen are too well acquainted with their writings, not to venerate their memories. Nor can I forget the same sentiments which have charmed you from the lips of men, who have spoke before me, on the same occasion, whose characters will be ever dear, and the exertions of whose patriotism and virtue, exhibited, in the most critical situations, posterity will ever wonder at and revere.

In short, to confirm this point by logical conclusions, must be an useless mispense of time. Even a crown lawyer, whose sentiments are not always friendly to the rights of mankind, will tell us, "in a land of liberty, it is extremely dangerous to make a distinct order of the profession of arms. In absolute monarchies this is indeed necessary for the safety of the prince, and arises from the main principle of their constitution, which is governing by fear; but in free states, the profession of a soldier, taken singly and merely as a profession, is justly an object of jealousy. The laws, therefore, and constitution of these kingdoms, know no such thing as a *perpetual standing soldier*."\*

Arguments existing in theory, however the mind may be captivated, do not always convince; and consequences, traced from the same source, are seldom interesting. But when we find the apprehensions of the greatest and best of mankind, who, actuated by a principle of benevolence, felt for the common interests, fully displayed in awful and tremendous effects, we then start from our lethargy, and like the sensitive plant, shrink from approaching danger! such is the case with respect to the subject before us. Philosophers and statesmen have shewn how dangerous standing armies must be in a free state, and every page in the volume of mankind confirms the melancholy account.

Speculative writers may indeed tell us, that the seeds of dissolution exist in every body politic—that like the body natural, it must decay and die—and that the same causes which brought the empires of *Belus* and *Cyrus* to destruction, will sap every other government on earth.† For my own part, I am no fatalist, and *nil desperandum pro republica*, is to me a much preferable, and more generous motto. And instead of enumerating their many vices and corruptions, as the *original cause*, I

\*Blackstone's Commentaries, vol. I. page 407.

†See Bellisarius by M. Marmontell.

think a little acquaintance with history will inform us, that they are not merely the original cause, but consequences resulting from the fatal measure we are considering. In absolute monarchies, where the military is the principal engine of government, we are not to look for a confirmation of this argument. But in republics, 'till the introduction of a soldiery, distinct from the citizens, we find them as remote from corruption, luxury, and the other black catalogue of vices, as any human system can attain to: but when standing troops were introduced, they immediately followed. Depravity of manners—a dislike to virtue and manly sentiment—effeminacy, and those grosser vices, too indelicate to be mentioned in this place, stalked like demons through their cities. Witness, ye republics, that were once great and illustrious, but are now no more! witness, O Boston! for ye were too well acquainted with the melancholy truth!

We will now confirm the sentiment by a brief inspection into some parts of history.

The *Greeks* were a republic, that, in a short flight of years, exhibited the most glorious spectacle that ever appeared to mankind; and, as one observes, the age they lived in, seemed to be the golden period of human nature.\* In every branch of war or peace, in every species of science they excelled, and were at once feared, admired, and venerated by the other nations of the world: yet this heroic confederacy was originally reduced from this glorious superiority, by the arts of *one man*† under the idea of a guard, from an inconsiderable number of attendants, he increased to that stretch of power as proved the fatal stab to the vitals of his country. The bank thus broken down, the tide swelled too rapid to be stemmed, and virtue, freedom and the laws, all fell a sacrifice.

Similar was the situation of the *Romans*. Although not so universally distinguished as the *Greeks*, yet from the expulsion of their kings, to the time of *Marius*, they evinced to what a prodigious greatness mankind may arrive when actuated by the principles of liberty, virtue and honor. Influenced by such motives, no wonder their actions were conformable: and while the most rigid inflexibility presided at home, the Roman eagle flew to the remotest corner of the globe.

Can we then suppose, when we view the characters which appeared on the stage at this period—when we consider how remote they were from

\*Harris Hermes.

†Pisistratus.

those vices which have been prevalent in powerful monarchies, and how carefully they watched the sacred altar of freedom, that they themselves must remain a standing monument of the consequences of this fatal measure. Such is the case. *Marius*, in new modelling the legions, and replacing the citizens who served in them with foreign mercenaries, laid the horrid foundation. The door was now open for one too powerful citizen after another, until *Cæsar*, losing every check, and laughing at the impotent anathemas of the senate, with the distant legions marched to Rome, and formed a new era in their history. From this period we are charmed no more with illustrious actions, and the last remains of dignity sunk in the Roman world. So true is it, that when a people lose their liberty, they at once become fit subjects of every thing base and infamous.

We have thus far produced instances of the fatal effects of armies thus kept up, which have ended in the utter subversion of the laws and government of two of the most memorable republics in ancient story. We will now shift the scene, and while we show their dangerous tendency in states of a more modern date, we will exhibit an illustrious example through what scenes of danger, hardships and blood, the determined spirits of honor, and attachment to freedom, will carry a people.

Previous to mentioning the situation of the *United Provinces*, I must remark how very similar their circumstances were to our's. We shall ever find it an unalterable maxim of princes, who in time of peace kept up a standing force, however they may call them the *protectors of law*, the end is to subvert those laws and render the constitution useless. Such was the mode of conduct of *Philip the second*, of Spain, to the low countries, and such the procedure of a similar character, *George the third*, of Britain, influenced by a despicable ministry. The former, as sir William Temple observes, "thinking it not agreeing with his greatness," (an army being now in the bowels of their country) "to consider their discontents, or be limited by their ancient forms of government," proceeds to despise the one and overturn the other. New courts judicatory were appointed, new offices established, depending absolutely on the king\*.

What was the consequence?—could it be supposed a generous people, would sit down tamely, and kiss the rod that lashed them? a different mode of conduct ensued. The duke of *Alva* was sent

\*Sir William Temple's observations on the United Provinces, Page 21, 22.

with a powerful army, the very forcible plea of tyrants, and the most shocking cruelties were committed. Here let humanity spread her veil nor let the tender breast heave with anguish at such scenes. But shocking as they are, they flow as naturally from this cursed engine of oppression, as beams of light from the sun. For as the same sensible writer observes, "so great antipathy ever appears between citizens and soldiers; while one *pretends to be safe* under law, which the other pretends *shall be subject* to his sword and his will."

But terrible as the many executions of their most illustrious patriots appeared to them, while the land was drenched in its richest blood—how ever affecting the sight of confiscations, imprisonments, and the numberless cruelties that attended them, they were not daunted. That God who hateth oppression, and delighteth in the happiness of his creation, inspired them with sentiments that carried them through innumerable hardships, 'till after having expended immense treasures and blood for better than threescore years, they laid the foundation of a rich, free, and flourishing people: Providence hereby giving an instructive lesson to posterity in every age, who are contending for all that is dear and sacred, to pursue the glorious object undaunted; knowing that, as liberty is a plant transplanted from the gardens of heaven, its divine parent will still cherish it, and, in spite of opposition, it will flourish, it will live forever.

Such, my friends, have been the methods used by enterprising men, in former ages, to carry into effect their ambitious designs, and found their greatness on the ruins of their country. But in our day, these measures have become systematical. They are in fact part of the constitution. To take a view of the different powers in Europe, and compare them with the state of ancient republics, under great and wise legislators, who seemed to be raised up for the benefit of the age they lived in, and the admiration of posterity, we must drop the tear of sensibility at the contrast. Where is the kingdom that does not groan under the calamities of military tyranny? let us pause a while on the most eminent of them.

In the large empire of Russia, the effects are glaring. Even the shadow of liberty has vanished. Of so great importance is the military, that a recruiting officer can go through their villages, and pitch upon the ablest of the inhabitants, as he would choose his cattle. And even a father has been imprisoned in his own house, for the escape of

a child, while, by order of the officer, his own sons have been his gaulers.\*

Perhaps there is no nation in any part of the world, more happy than France, in every luxury of life. But amid this profusion of plenty, the farmer exhibits the most wretched spectacle in nature. Supported by the gleanings of the field, the fruits of his labor go to the subsistence of the soldiery. Thus dispirited and depressed, he contents himself with the refuge of his ground, while, after his greatest exertions, another will reap the fruits of his honest industry. The most obdurate breast must melt at such scenes, and execrate the effects of standing armies.

Look into the situation of Poland. Under the direction of that great man,† famous for his victories against the Turks, they were brave and virtuous, and proved the bulwark of Christendom. But, under the Saxon line, this spirit not suiting their plan of government, was awed by electoral troops, and totally decayed. The consequences are now severely experienced by them; and while in this depressed state, they are an object of desire to Turks and Russians, their country is a scene of bloodshed and misery.

It is needless to mention England, or the idle farce of an annual act of parliament, for the support of standing troops, which is nothing but an insult on the sense of that nation. The more virtuous among them, if the flame of liberty has not entirely expired, easily see through the guise, and in the death of Allen and others, wantonly butchered by a mercenary soldiery, can too clearly read the fate of themselves and posterity.

The melancholy part of this subject must give pain to every humane breast. This is natural. But these scenes more directly affect other nations; and however we may pity the unhappy sufferer; there is a kind of pleasure we feel that we ourselves are not immediately interested. And would to God, it had ever remained so. O my country! with what heart-felt satisfaction should I rejoice, if oppression had never stretched her baleful wings to this once happy clime! that that liberty which an illustrious set of men, of whom the world was not worthy, purchased at so dear a rate, might have descended unimpaired to latest posterity. But is this the case? has this scourge of mankind, standing armies, never interrupted our prosperity? if so, why is this desk hung with the sable covering of death why am I surrounded by so many of my fel-

\*Vid. Guthrie's Grammar.

†John Sobieski.

low-citizens, who listen to the tale of woe! yes, my countrymen, we ourselves are deeply interested; and this same engine of oppression, which has thrown mighty republics from their foundations, has attempted and still continues to spread the same horrid consequences in America: and in its usual mode of conduct, has been attended with every species of cruelty, some of them unheard of before; but which your firmness, under God, has hitherto, and I pray ever may, surmount.

The shocking scene of that dreadful night, the fatal effects of which we are now still weeping over, is beyond description. No one, perhaps, if it is taken in every view, that was not a spectator, can conceive it. When I consider the many insults, abuses and violences, this unhappy town was exposed to for months previous to this melancholy tragedy, and when the tumult of contrary passions was thus naturally excited, to see a brutal soldiery, scattering promiscuous death through a defenceless, unarmed multitude, till yonder street was crimsoned with the blood of its citizens, while a tender mother, frantic with grief, pours forth the anguish of her heart over a beloved son, now incapable of any returns of gratitude; all this exhibits a scene which the distressed heart may painfully feel, but which the tongue cannot express. Let the breast, then, still continue to beat. These, my friends, are virtuous, generous feelings, and do honor to humanity. May we ever retain them.—May this institution, sacred to the memory of our murdered brethren, be ever carefully preserved. Yes, ye injured shades! we will still weep over you, and if any thing can be more soothing, WE WILL REVENGE YOU.

This glaring specimen of cruelty roused the citizens, and in convincing colors displayed the effects of standing armies in time of peace. But however our exertions were then successful, however the storm subsided, it was but temporary. While the scales of justice were held in palsied hands, and the most shocking barbarities were the highest merit, an additional force only was necessary. That arriving, the mask was thrown off, and a still greater scene of carnage and destruction opened in our adjacent villages.

But such proceedings, however alarming at that period, were soon lost in more dreadful and distressing operations. The heights of Charlestown too awfully convinced us of the melancholy truth, and posterity, while with tears of compassion they ponder the transactions of that day, must execrate the causes which produced them. In any situation,

the relics of slaughtered citizens are objects of pity, and the sympathizing spectator will ever drop a tear over them. But there may be instances, when the lesser streams of affection are absorbed in a still greater sea of woe. Such are the sentiments that must strike every breast, when we reflect, illustrious WASHINGTON! on thy death—a death, which whole hecatombs of slaughtered enemies, strowed around thy corpse, can never repay.—Here, ye minions of power! ye who are dead to the calls of honor and public virtue, are willing to wade to station through the blood of your brethren, here behold a spectacle that must harrow your inmost soul. You, my countrymen, with the most pleasing sensations, have attentively listened, while, like us, he was weeping over the unhappy fate of others. You have kindled into rage, while he has set before you the dangerous nature and consequences of standing armies, and prophetically pointed out to you still greater events. How affecting! that he, who could lament the fate of others, must be himself deplored; and that he who could so feelingly paint the effects of this horrid measure, must himself fall one of the first sacrifices to it.

But it is not sufficient to drop a transient tear to the memory of departed heroes, or to pay an eulogy to their characters. The happiness of such men who, after having expired in the arms of liberty and virtue, are now sharing the highest degree of felicity, cannot be increased by our praises: no, my friends, the best way to express our affections for such great and good men, is to rouse and revenge them. To hurl still fiercer bolts of vengeance on an inhuman soldiery, who, instead of affording the last honors sacred to the dead, and which a generous enemy will ever regard,—after grinning with hellish pleasure on the mangled corpse, which alive could strike terror into their boldest heart, lodged it in a promiscuous grave; that since they could not prevent his name and reputation being immortal, his remains might be hid forever. O Britain! thou hast, and shall still weep tears of blood for this!

Are not such instances, my countrymen, very convincing proofs of the fatal effects of standing armies in time of peace. In such a period they originated, and from the fifth of March, 1770, through every degree of violence and barbarity, to the present day, it is but one connected scene.

After such exhibitions of cruelty and carnage, what can we suppose too brutal, too infamous for such an army? can we wonder to see our houses in flames, our altars rased to the ground, or convert-

ed to a much more horrid use, than the Jewish temple? if possible they have even exceeded; and the armies of Britain seem to be held up as a standing evidence, how far the spirit of tyranny and oppression can operate.

We shudder when the faithful page of history opens to our view the conduct of armies, flushed with victory, sacking towns, burning villages, and perpetrating murders, with all the other dreadful concomitants. But if we look into the conduct of the British army in the *Jerries*, and some part of the state of *New York*, we shall find instances of all these crimes, and, perhaps, in some places, instances beyond them. To see the third city in a neighboring state, wantonly consumed by an enemy who, not having spirit or ability to meet us in the field, descend to these little mean methods of exciting terror—to see the ravages in the *Jerries*, and the garden of America thus wantonly defaced—does not the blood beat high!—do we not press forward to exterminate such barbarians from the face of the earth! but to mention still greater scenes of cruelty—does not the ear tingle, when it hears the shrieks of helpless virgins, dreadful victims to lust and barbarity; while the grey hairs and expressive groans of an aged parent, witness to his daughter's shame, plead in vain. Can any thing swell this complicated scene of woe? it can receive addition. These monsters exceed even the most barbarous nations. With them the ashes of the dead have ever been sacred. But under the patronage of a British tyrant and his general, snuffing the tainted gale, they have ransacked the silent repositories, and the remains of one that was once amiable and captivating, flung about as food for the birds of the air.\* O God, where is thy vengeance! O virtue, honor, religion humanity, where, where are ye fled!

These, my countrymen, are not the flights of fancy, not the dictates of imagination: they are solid, though very affecting realities. Can we then wish a re union with such a people? can we ever familiarly shake hands with a nation who, leaping every barrier, are thus wantonly sporting with our distresses, and bathing themselves in the blood of our countrymen? may America never retain such mean, dastardly sentiments! for my own part, if I may be indulged, I would entreat, I would conjure every one, who as a parent feels for the welfare of his posterity, to imitate the example of the renown-

\*Delauncy's farm.

ed Carthagenian.\* Lead your sons, ye fathers, not to the altar of paganism, and under the tutelage of some unknown deity, but to the sacred altar of freedom, and while the guardian God of America is witness to the solemn obligation, MAKE THEM SWEAR that they will never be friends to a power, who are thus sacrificing their dearest privileges. Ring in their young ears the dreadful tale of murders, rapes, and massacres. Paint to them the conduct of Britain, as displayed in her arms in different parts of America, till their young breasts glow with ardor, and thus early catching the flame of patriotism, they may, through life, pursue undaunted so glorious an object. Pleased with such an invocation, the shades of our fathers will rejoice over their posterity, and the angels of love and purity will look down delighted.

No one, I think, can suppose these thoughts proceed from rage or passion. They are the cool dictates of my heart. I love my country; her distresses affect me; nor, from this moment, do I ever wish a reconciliation with a power, whose prosperity must be founded on my utter destruction.

I have now, my countrymen, endeavored to exhibit the fatal effects of standing armies in time of peace; not from abstract reasoning, but as they exist in fact, and now prevail in our distressed land. Here I would remark, that it is standing armies in time of peace, and the consequences thence resulting, that we are now deprecating. Armies, in defence of our country, unjustly invaded, are necessary, and in the highest sense justifiable. We, my friends, attacked by an arbitrary tyrant, under the sanction of a force, the effects of which, we have attempted to illustrate, have been obliged to make the last solemn appeal. And I cannot but feel a pleasing kind of transport, when I see America, undaunted by the many trying scenes that have attended her, still baffling the efforts of the most formidable power in Europe, and exhibiting an instance unknown in history. To see an army of veterans, who had fought and conquered in different quarters of the globe—headed by a general tutored in the field of war, illustrious by former victories, and flushed with repeated successes,

\*As Hannibal, then about nine years old, was soothing with childish caresses his father, Hamilcar, to take him along with him to Spain, whither, after finishing the war in Africa, he was now about to transport his troops, and was sacrificing for success in that expedition, he was led by his father to the altar, and with his hand on the victim, was bound by this solemn oath, "that as soon as he should have it in his power, he would declare himself an enemy to the Roman people."

threatening, with all the pomp of expression, to spread havoc, desolation, and ruin around him; to see such a soldiery and such a general, yielding to an hardy race of men, new to the field of war; while on the one hand it exalts the character of the latter, convincingly proves the folly of those who, under pretence of having a body of troops, bred to war, and ever ready for action, adopt this dangerous system, in subversion of every principle of lawful government. Here, if, after having depicted scenes of so distressing a nature, it may not appear too descending, I could not forbear smiling at the British general and his troops who, not willing to reflect on their present humiliating condition, affect the air of arrogant superiority. But Americans have learnt them that men, fighting on the principles of freedom and honor, despise the examples that have been set them by an enemy; and though, in the field, they can brave every danger in defence of those principles, to a vanquished enemy they know how to be generous; but that this is a generosity not weak and unmeaning, but founded on just sentiments, and if wantonly presumed upon, will never interfere with that national justice, which ever ought, and lately has been properly exerted.

But while, with the warmest gratitude to heaven, we view our late successes, and are at a loss to express our acknowledgment to the illustrious hero, who was the instrument, and whose name to remotest ages will be ever dear to these New England states, let us not forget our situation. There is an army, and a very powerful one, still existing in the heart of America. Methinks the reputation of past successes should animate every inhabitant of America to fly to arms; and by one general exertion utterly expel this last, this only remaining power of Great Britain on the continent. Ye, to whom the sacred, the important system of government is committed—ye men of sense and virtue—ye patriots, who feel an affection for your country and posterity, let me conjure you to seize the present opportunity, happier than we could ever have expected, and which once omitted may never be again in our power.

I would not pretend to insinuate, that this is the only point which ought to be under immediate consideration, by a wise people or their delegates. But this I will venture to affirm, that unless this is the governing sentiment, in every deliberation, every other thing is superfluous. Let us then rise superior to every private local attachment. As we are embarked on one broad bottom of universal

freedom, let us attend to this most pressing occasion; an occasion providentially offered for future security and happiness. If a royal army, though weak in its number, can thus insult us unpunished, the most slender imagination can easily foresee what must be the effects of a still greater force. I wish that the present generation, I wish that posterity may not feelingly reproach our inactivity.

Shall the frequent calls of OUR EXALTED GENERAL, who seems to have been raised up by heaven, to show to what an height humanity may soar; who generously sacrificing affluence and domestic ease, wishes to share with you in every danger and distress, shall his frequent calls be in vain? remember, my countrymen, the eyes of the good and great, in every clime, are upon the present contest. Liberty, disgusted at scenes of cruelty and oppression, has left her ancient altars, and is now hovering to fix her last residence in America. Our exertions have hitherto been great and successful. Let not the ashes of WARREN, MONTGOMERY, and the illustrious roll of heroes, who died for freedom, reproach our inactivity and want of spirit, in not completing this grand superstructure; the pillars of which have been cemented with the richest blood of America. May that same ardor, which has rendered America famous, still continue, and looking forward to those happy days of liberty and peace, which our posterity shall enjoy, let us exult at the thought, that future generations, while they reap the glorious fruits of our struggles, will rise up and call us blessed.

ORATION DELIVERED AT BOSTON, MARCH 5, 1779,  
BY WILLIAM TUDOR, ESQ.

Sed et illa propago  
Contemptrix superum saevaque avidissima cedis  
Et violenta fuit. Ovi. M. L. I. F. 5.

Whatever secondary props may rise  
From politics, to build the public peace,  
The basis is, the manners of the land.—YOUNG.

Fathers, countrymen, friends—"That man was born to delude and be deluded; to believe whatever is taught, and bear whatsoever is imposed," are political dogmas which have long afforded matter for exultation and security to dignified villains, from the sceptered tyrant, to the meanest minion of power. But however confirmed they may have been by the passive conduct of the greatest part of mankind, you, my fellow-citizens, thank God, you are an exception to their truth. The numerous, the respectable assembly which now crowd this hallowed temple, are an exalted exception to maxims as disgraceful as they are general. Ever vigilantly attentive to the sacred, unalienable rights of man; equally studious in the

glorious principles of liberty, as irrepressibly determined to preserve inviolate the inestimable privileges she bestows; you are now convened, not merely to commemorate this anniversary, but solemnly to renew the resolves, which freedom, wisdom, virtue, honor inspire: and not barely to resolve, but I trust, steadily to pursue the execution of resolutions which have resulted from deliberate investigation and full conviction.

To so intelligent, so well informed an auditory, it must be unnecessary to deduce the origin of civil society, which, founded in reciprocal advantage, and springing from social virtue, on the combined necessities and assistance of individuals, built the general happiness—a happiness thus instituted, nothing but public spirit, and a union of force and of council can preserve: I must therefore request your indulgence, whilst I rather point out those evils which the concurrent experience of ages and nations prove to be subversive of every good proposed from civil compact. Little solicitous of rhetorical applause, I shall offer you my sentiments as they arise warm from a heart devoted to the interests of this my parent country, in language that becomes a freeman to use when addressing a free assembly.

Similar causes will forever operate like effects, in the political, moral, and physical world: those vices which ruined the illustrious republics of Greece, and the mighty commonwealth of Rome, and which are now ruining Great Britain, so late the first kingdom of Europe, must eventually overturn every state, where their deleterious influence is suffered to prevail. Need I add that luxury, corruption, and standing armies are those destructive efficient?

Luxury, no sooner finds admittance into a state than she becomes the parent of innumerable evils, public and domestic; her contagious influence is soon felt in society, and her baneful effects discovered by a general dissipation of manners, and a declension of private virtue, which begets effeminate habits, and by a natural gradation, a base pliability of spirit.

Luxury is ever the foe of independence, for at the same time that it creates artificial wants it precludes the means of satisfying them. It first makes men necessitous, and then dependent. It first unfits men for patriotic energies, and soon teaches them to consider *public virtue as a public jest*.

At such a period, corruption finds an easy access to men's hearts. To the promotion of interested

pursuits, and the gratification of voluptuous wishes, a ready sacrifice is made of the general good at the shrine of power. Then slumbers that virtuous jealousy of public men and public measures, which was wont to scrutinize not only actions but motives: then nods that active zeal, which, with eagle eye watched, and with nervous arm defended the constitution. Every day new inroads are made upon public liberty, while encroachments, like temptations, grow more frequent and more dangerous in proportion as the power of resistance decreases. Thus, before a nation is completely deprived of freedom, she must be fitted for slavery by her vices.

Generally, but not always, for we have known a people ruled by a despot, who, from a private station, rose to uncontrolled dominion, at a time when they were sternly virtuous. And this mode of introducing bondage is ever to be apprehended at the close of a successful struggle for liberty, when a triumphant army, elated with victories, and headed by a popular general, may become more formidable than the tyrant that has been expelled. Witness the last century in the English history! witness the aspiring CROMWELL!

This audacious citizen, entrusted by his country with the command of her armies, to chastise the man whom previous folly\* had enthroned, and who soon presumed to treat his subjects, as all kings are wont to do, with contempt and injury, had no sooner despatched the foolish, imperious monarch, than he attempted to succeed him: with a little management, he soon found his army as disposed to *regify* him, as they had been to depose Charles. With these mercenary associates at his heels, he appeared in the synod of the state, and dared with force displace the most glorious band of patriots that ever led a tyrant from his throne to a scaffold. Not content with this enormous outrage upon the constitution, this annihilating stroke upon the tottering liberties of his country, for a time to keep up the form of a popular government and to bring parliament into contempt, he convened an house of commons, constituted entirely of his own creatures. They met, and in a few months discovered that they were utterly unequal to the posts

\*If a man in private life finds his oldest son an idiot or a rascal, he may dispose of his estate among his other children: but if the heir apparent (in hereditary monarchies) to a crown, an inheritance in which millions are interested, turns to be a blockhead or a villain, still he must be the king, because such is the line of succession established by law.—Hence the few princes who have not been either the scourge or disgrace of the kingdoms they have ruled.



they were raised to, they therefore petitioned their master to dissolve them. Cromwell granted their request, and became sole tyrant of three kingdoms. Tyrant—for of what consequence is it by what style or under what modification despotism operates to the public wrong—dictator, king, protector, it is not the appellation we reprobate, though even that we should guard against, but the thing. Who but must own that Cromwell, under the name of protector, was as absolute a despot, as he could have been with any other title?

The first Cæsar affords us another instance among the thousands which history holds up to our view, to teach us what bold and unprincipled spirits have effected by the aid of armies. This ambitious subject, having been for several years engaged in the humane, the soldierly employment, of slaughtering his fellow-men, and in extending his conquest over countries which he had not even a pretence to invade; his Cæsar, who boasted that he had slain a million of men,\* was at length ordered home by the senate to answer to some charges against his conduct. He knew that at such an interview his sword would be his ablest advocate. He therefore led his veteran legions, "*nothing loth*," against his country; passed the Rubicon; fought his way to Rome; plunged a dagger in her vitals; impiously trampled on her dearest rights; and seized on empire crimsoned, execrable parricide! crimsoned with the richest blood of Rome's best citizens!

Too late the patriot poignard reached the traitor's heart. Cæsar fell—alas! the republic had fallen before. Rome changed her governors, but the tyranny remained. The same army that had enabled Julius to triumph over the liberties of his country, led the cars of OCTAVIUS, ANTONY and LEPIDUS, through seas of Roman blood, and bad the cursed triumvirate divide an enslaved world!

If Rome could have been saved, BRUTUS and his virtuous associates would have saved her; but a standing army, and a perpetual dictator, were, and ever will, prove too hard for the patriotic few. Learn hence, my countrymen, that a state may sink so low in slavery that even virtue itself cannot retrieve her. From these examples, prudence dictates—*resist beginnings*. A free and wise people will never suffer any citizen to become too popular—much less too powerful. A man may be formidable to the constitution even by his virtues

\*Plutarch says that Cæsar could boast, that he had slain a million of men, gave a million their liberty, and made a million prisoners.

*Vid. Plut. in vit. Cæsar.*

But why do I keep your attention fixed on remote transactions? our own times furnish additional and convincing proofs of the destructive consequences of political corruption, and mercenary armies.

Sweden, the bravest, hardiest, freest nation of the north—Sweden, in one hour, was plunged from the distinguished heights of liberty into abject vassalage. What ties can bind a king? scarce had GUSTAVUS the third ascended the throne of limited monarchy; scarce had the roofs of the senate house ceased to reverberate the insidious accents of his inauguration speech,\* whilst yet the venerable repre-

\*This speech is inserted at large, not only because it is fraught with excellent advice, but also to shew how little reliance ought to be placed on coronation speeches.

The king of Sweden's speech to the states on the 1st of June, 1772.

"You are this day assembled, in order to confirm in the manner of your ancestors, the band of union which ties you to me, and me to you, and both to the whole commonwealth; we must therefore remember, with the most sensible gratitude, the benevolence of the Almighty, who has ordered things so, that this very ancient kingdom of the Swedes and Gathis is still existing, after so many foreign, as well as national shocks, and that I, in the throne of my ancestors, can yet address free and independent states.

Assured of your hearts, most sincerely proposing to merit them, and to fix my throne upon your love and felicity, the public engagement which you are going to enter into, would, in my opinion, be needless, if ancient custom and the law of Sweden did not require it of you. Unhappy the king who wants the tie of oaths to secure himself on the throne, and who, not assured of the hearts of his subjects, is constrained to reign only by the force of laws, when he cannot by the love of his subjects!

I need not put you in mind of the weightiness of the engagement you are going to take; the states of Sweden know best the extreme of their duty to themselves and the commonwealth; may concord and harmony ever unite your hearts; may foreign views and private gain ever be sacrificed to public interest; may this alone be a perpetual bond of union amongst you; and may the ambition of any part of you, never raise any such disturbances as may endanger the freedom and independency of the whole commonwealth!

*Gentlemen of the house of nobles,*

Preserve always the honor and integrity of your ancestors; be an example to your fellow-citizens; and, as you are the first order of the kingdom, be also the first in virtue and love of your country.

*Good men of the reverend order of clergy,*

May mutual friendship and peace, obedience to the laws, reverence to God and the king, bear witness to me and the country, of your zeal in the execution of the sacred office, with which you are entrusted!

*Good men of the respectable order of burghers,*

Strive always with your fellow-subjects who shall contribute the most to the public good; may the fruits of the extensive share which belongs to you, be general credit and confidence, useful institu-

representatives of their country were fondly anticipating the blessings that would arise from the reign of so wise, so gracious a king—The unblushing parricide surrounded, with an armed host, the temple in which the senate was assembled, planted his cannon against the gates, and with the swords of his guards at the throats of the senators, demanded immediate absolution from his coronation oath, by which he had most sacredly bound himself to preserve inviolate the laws and liberties of the Swedes! astonishing that a stripling, whose language breathed the glowing sentiments of enthusiastic generosity, so natural to youth, could, with such facility, set at defiance all that is held sacred, honorable, and obligatory among men! but the lust of domination, so natural to human nature, will ever prove too hard for the checks of conscience and the dictates of right, when a favorable opportunity presents to gratify it. Gustavus, knowing that the army were ready to assist his iniquitous designs (as all standing armies are to promote despotism, because under such a system of rule, soldiers must be necessary and consequently favored) the barriers raised by justice and his plighted faith to Sweden, became slight indeed. Force backed inclination, and Gustavus changed circumscribed authority, for unconfined sovereignty.\*

Let us now turn our eyes to that nation whom we once did love, and with whom we had yet been friends, had not an unparalleled series of folly and cruelty, compelled us to renounce the pleasing relationship. A short retrospect of whose public conduct, subsequent to the last war, will afford many and important instructions.

In 1763 peace was restored after a war of seven years, successfully waged in every quarter of the globe. At that period what an unrivalled figure did Great Britain stand amongst the nations! great beyond all former example, in arms, in commerce

tions, frugal living, and moderate gain, which lead to sure and certain wealth.

*Good men of the worthy order of peasants,* May piety, diligence, temperance, and old Swedish faith and modesty, be the strongest confirmation of the honor always due to that order which gives subsistence to all the others; an honor which the Swedish peasants have at all times attained.

This is all I ask of you, when you observe this, you perform in the best manner, that duty to me, and your country, which, according to the Swedish laws, I now call upon you to confirm by oath."

\*For an historical account of this revolution, vid. *Gentleman's Magazine* for 1772, page 397, &c. For the Swedish constitution, vid. the abbot Vertot.

For a complete system of despotism, see the *lex regia* of Denmark, constituted by Frederick 3d, in 1665, and published by Christian 5th, in 1683.

and in wealth. Not a corner of the earth but had witnessed her achievements. Wheresoever she directed her armies, victory and conquest attended; whilst her irresistible navy, thundering over every ocean, not only subdued, but annihilated the fleets of her enemies.

Triumphant in war, not less distinguished in peace. In many of the polite, in most of the useful arts and sciences, superior to her neighbors. In commerce unequalled; not a sea but bore, not a wind but wafted her countless ships, laden with the riches of the earth, and made her crowded ports the marts of the world. Late glorious nation, how art thou fallen, how lost! from so envied, so stupendous an height, by the perverted will of thy infatuated monarch, and the pernicious counsels of his nefarious ministers. Driven to the fearful edge of ruin, we now behold thee tottering o'er the gulph of annihilation, whilst France and her allies urge thee over the irremediable steep!

When we consider the capital defects in the English constitution—the character of her present weak and ambitious monarch—the luxury, dissipation and venality of her influential men, we shall cease to wonder at her declension and present circumstances.

In a limited monarchy, where the prince, as supreme executive magistrate, and first branch of the legislature, is invested with the important prerogative of making peace and war, is constituted the sole fountain of honor, and becomes the exclusive disposer of every lucrative and honorable appointment, civil, ecclesiastic, and military, his influence becomes too enormous to be compatible with the public liberty: but if to such extravagant powers (by a fatal error in the constitution, placed in the hands of the prince) he should superadd a detestable system of corruption to bribe the representatives of the people (a system which, during the reign of his present Britannic majesty, hath been urged to its utmost possible extent) the worst species of vassalage must ensue. That equipoise between the respective branches of the legislature (in which the seeming theoretic excellence of the English constitution consists) will be totally destroyed; the executive will involve the powers of the legislative, and whilst the letter and formalities of the constitution are retained, its spirit and intentment will be totally lost. An *absolutely arbitrary*, with the forms of a *free* government (that worst and surest of all tyrannies) will gradually succeed, and be finally established, unless a total revolution is happily effected by timely exertions

comes imperceptibly consented to. Thus doubly armed, together they pursue their morning route to satisfy those demands only which nature reminds them of, and while the ingenuity of the one is exercised to ensnare, the strength of the other is, perhaps, employed to subdue their vigorous opponent.

Their little family soon increases; and as their social ring becomes gradually enlarged, their obligations to each other are equally circular. Honest industry early teaches them, that a part only is sufficient to provide for the whole, and that a portion of its time may be spared to cull the conveniences as well as appease the wants of nature. Property and personal security appear to be among the first objects of their attention, and acknowledged merit receives the unanimous suffrage to preside guardian over the rights and privileges of their infant society. The advantages derived are in a moment experienced. Their little policy, erected upon the broad basis of equality, they know of no superiority but that which virtue and the love of the whole demands; and while, with cheerfulness, they entrust to his care a certain part of their natural rights, to secure the remainder, the agreement is mutual, and the obligation upon his part equally solemn and binding to resign them back, either at the instance and request of their sovereign pleasure, or whensoever the end should be perverted for which he received them.

Integrity of heart, benevolence of disposition, the love of freedom and public spirit, are conspicuous excellencies in this select neighborhood. Lawless ambition is without a friend, and the insinuating professional pleas of tyrants, ever accompanied by the magnificence and splendor of luxury,\* are unheard of among them; but simple in their manners, and honest in their intentions, their regulations are but few and those expressive, and without the aid of extreme refinement,† by a universal

\*A mode of living above a man's annual income weakens the state, by reducing to poverty not only the squanderers themselves, but many innocent and industrious persons connected with them. Luxury is above all pernicious in a commercial state. Shall profits satisfy the frugal and industrious, but the luxurious despise almost every branch of trade but what returns great profits.

*Home's hist. of man, p. 113, vol. 2.*

In the savage state man is almost all body with a very small proportion of mind. In the maturity of civil society, he is complete both in mind and body. In a state of degeneracy by luxury and voluptuousness, he has neither mind nor body.

*Id. 114.*

†There are very few laws which are not good while the state retains its principles.

*Montesq. 6. 8. 6. 12.*

adherence to the spirit of their constitution, and to those glorious principles from which that spirit originated, we find them attaining real glory—we find them crowned with every blessing that human nature hath ever known of—we find them in the possession of that summit of solid happiness that universal depravity will admit of.

Patriotism is essential to the preservation and well being of every free government. To love one's country\* has ever been esteemed honorable; and under the influence of this noble passion, every social virtue is cultivated, freedom prevails through the whole, and the public good is the object of every one's concern. A constitution, built upon such principles, and put in execution by men possessed with the love of virtue and their fellow-men, must always insure happiness to its members. The industry of the citizen will receive encouragement and magnanimity; heroism and benevolence will be esteemed the admired qualifications of the age. Every, the least invasion on the public liberty, is considered as an infringement on that of the subject; and feeling himself roused at the appearance of oppression, with a divine enthusiasm, he flies to obey the summons of his country, and does she but request, with zeal he resigns the life of the individual for the preservation of the whole.

Without some portion of this generous principle, anarchy and confusion would immediately ensue, the jarring interests of individuals, regarding themselves only, and indifferent to the welfare of others, would still further heighten the distressing scene, and with the assistance of the selfish passions, it would end in the ruin and subversion of the state. But where patriotism is the leading principle, unanimity is conspicuous in public and private councils. The constitution receives for its stability the united efforts of every individual, and revered for its justice, admired for its principle, and formidable for its strength, its fame reaches to the skies.

Should we look into the history of the ancient republics, we shall find them a striking example of what I have asserted, and in no part of their progress to greatness, producing so many illustrious actions, and advancing so rapidly in the road to glory, as when actuated by public spirit and the love of their country. The Greeks in particular

\*The amor patriæ, or patriotism, stands at the head of social affections, and so high in our esteem, that no actions, but what proceed from it, are termed grand or heroic. It triumphs over every selfish motive, is a firm support to every virtue, and wherever it prevails the morals of the people are found to be pure and correct.

*Elements of Criticism.*

ever held such sentiments as these in the highest veneration, and with such sentiments as these alone they established their freedom, and finally conquered the innumerable armies of the east.

When Xerxes,\* the ambitious prince of Persia, vainly thinking that nature and the very elements were subject to his control, inflamed with the thoughts of conquest, threatening the seas, should they resist, with his displeasure, and the mountain, should they oppose his progress: when, after having collected the armies of the then known world under his banners, he entered the bowels of Greece, leading forth his millions, resolutely bent upon the destruction and extirpation of this small but free people, what do we perceive to be their conduct upon so alarming an occasion? do they tamely submit without a struggle? do they abandon their property, their liberties, and their country, to the fury of these merciless invaders? do they meanly supplicate the favor, or intreat the humanity of this haughty prince? no! sensible of the justice of their cause, and that valor is oftentimes superior to numbers; undaunted by the appearance of this innumerable host, and fired with the glorious zeal, they, with one voice, resolve to establish their liberties, or perish in the attempt.

View them at the moment when the armies of their enemies, like an inundation, over spread their whole Grecian territory; when oppression seemed as though collecting its mighty force, and liberty lay flattered at the shrine of ambition; then shone forth the heavenly principle, then flamed the spirit of the patriot, and laying aside all sentiments of jealousy, as though favored with the prophetic wisdom of heaven, with bravery unexampled, they charge their foe, and fighting in defence of their country, success crowns the virtuous attempt. With three hundred Lacedemonians,† one only of whom was left to tell the fate of these intrepid men to their weeping country, they conquered the combined force of the whole eastern world.

The privileges and immunities of the states of

\* Herod, C. P. C. 55, 99. and Rollin An. His.

† These brave Lacedemonians thought it became them who were the choicest soldiers of the chief people of Greece, to devote themselves to certain death, in order to make the Persians sensible how difficult it is to reduce freemen to slavery, and to teach the rest of Greece, by their example, either to vanquish or to perish. A monument was afterwards erected to the memory of Leonidas and those who fell with him at Thermopyzæ; upon which was this inscription:

Die hospes, Sparta: nos te hic vidisse jacentes  
Dum, omnes patriæ legibus obsequimur.—Rollin.

Holland,\* after a contest of forty years, in which they withstood the exertions of their powerful neighbors, being established by the force of this single principle, which appears to prevail both in the senate and the field, might also be adduced in support of what I have advanced; but, my fellow-countrymen, we cannot want additional proofs; the living history of our own times, will carry conviction to the latest posterity, that no state, that no community, I may say that no family, nay even that no individual can possibly flourish and be happy, without some portion of this sacred fire. It was this that raised America from being the haunt of the savage, and the dwelling-place of the beast, to her present state of civilization and opulence: it was this that hath supported her under the severest trials: it was this that taught her sons to fight, to conquer and to die in support of freedom and its blessings; and what is it, but this ardent love of liberty, that has induced you my, fellow-citizens, to attend on this solemn occasion, again to encourage the streams of sensibility, and to listen with so much attention and candor to one of the youngest of your fellow-citizens, whose youth and inability plead powerfully against him, while the annual tribute is paid to the memory of those departed citizens, who fell the first sacrifices to arbitrary power. Check not such generous feelings. They are the fruits of virtue and humanity, and while the obligations you remain under to those unhappy men, lead you to shed the sympathetic tear, to dwell with pleasure upon their memories, and execrate the causes of their death, remember that you can never repay them. Ever bear it in your minds, that so implicit was the confidence you willingly placed in that country, that owed to you her affection, that, notwithstanding the introduction of that inhuman weapon of tyrants into the very heart of your peaceful villages, you still would fain rely on their deceitful assertions, and paint the deformed monster to your imaginations as the minister of peace and protection. Men, born in the bosom of liberty, living in the exercise of the social affections in their full vigor, having once fixed them upon particular objects, they are not hastily eradicated. Unaccustomed to sport with, and wantonly sacrifice these sensible overflowings of the heart, to run the career of passion and blinded lust, to be familiar with vice, and sneer at virtue; to surprise innocence by deceitful cunning and assume the shade of friendship to conceal the greater enmity, you could not at once realize the fixed the deliberate inten-

\* L'empire's observation.

tion of those from whom you expected freedom, to load you with slavery and chains, and not till insult repeated upon insult; not till oppression stalked at noon-day through every avenue in your cities: nay, not till the blood of your peaceful brethren flowed through your streets, was the invenomed serpent to be discovered in the bushes: not till a general trespass had been made upon the keenest feelings of human nature, and the widowed mother was summoned to entomb the cold remains of her affectionate son; the virtuous bosom to resign its tender partner, and social circles their nearest friends; could you possibly convince yourselves that you and *Britain* were to be friends no more. Thrice happy day! the consequences of which have taught the sons of *America*, that a proper exercise of public spirit and the love of virtue hath been able to surprise and baffle the most formidable and most powerful tyranny on earth.

Patriotism is a virtue which will ever be universally admired, even by those incapable of possessing it. Its happy effects are equally visible in individuals as in states, and if we bestow a moment's reflection upon the heroes of antiquity, who have been deservedly celebrated by succeeding generations, both for their abilities and conduct, we shall find that the true source of their greatness was this spirit of freedom, and their inviolable attachment to the interest of their country.

With an attentive silence we listen to the historian while he relates to us the integrity of conduct, the invincible courage, the earnest glow of soul, and the ardent love of liberty which was exhibited in the lives of those illustrious men, and so great were their virtues that we are scarce able to credit them, but as the dreams of fancy, or the fictions of the ingenious.

It is recorded of the celebrated Timoleon,\* general of Corinth, that notwithstanding he was blest with a temper singularly humane, and with feelings that were ever roused at the miseries of his fellow-men, he loved his country so passionately, that after making use of every argument in his power to convince an elder brother of his error, for attempting to become the tyrant of it, he devoted him to death; a brother on whom he had previously placed his affection, and whose life being exposed to the fire of an enemy in a severe battle, he had before saved at the great risque of his own. Even in old age, after a period of rigid retirement for twenty years, we are attracted by the disinterested conduct of this exalted patriot.

\*Rollin.

When the Syracusians, groaning under every species of cruelty, which lust, avarice and ambition could inflict, supplicated their generous neighbors for assistance, to alleviate those miseries they themselves had been exposed to, Timoleon, urged to accept the command of the Corinthian auxiliaries, at first hesitated, his age, his manners, his private happiness and the endearments of his family forbade it; but sensible that he was but a member of the community, and stung by the cries of innocence, his inclinations were but of trivial moment in competition with his duty.

View him at the head of his chosen army, assembled to plead the cause of suffering virtue. In possession of arms and of power, if inclined to pervert them, are his principles changed with his station? are his thoughts bent on conquest or on death? or does he entertain a secret wish to seize the moment of confidence, and build his greatness upon the ruin of the distressed, to remove one tyrant to reinstate another? no! but fired with a generous glow of soul, fired with the manly sentiments of freedom, with an implacable hatred to oppression of all kinds, he marches his troops to the deliverance of his afflicted people, and with a firmness becoming soldiers fighting under the standard of liberty, after a series of fatigue and toil, harassing marches and fierce conflicts, he dethrones the tyrant, and is proclaimed the deliverer of Syracuse.—Having restored tranquility to this unhappy country, repopled their cities, revived their laws, and dispensed justice to all ranks and classes, he resigned his command, and retreated once again to the private walks of life, accompanied with the grateful acknowledgments of millions, as the patron of their liberty and the saviour of their country.—Happy man! endowed with such a noble soul, prone to feel for the misfortunes, and rejoice in the happiness of his fellow-creatures.

But why need we resort to distant ages to furnish us with instances of the effects of patriotism upon individuals? will not the present day afford at least one illustrious example to our purpose? yes, my fellow-countrymen, *AMERICA*, young *AMERICA* too, can boast her patriots and heroes, men who have saved their country by their virtues, whose characters posterity will admire, and with a pleased attention, listen on tiptoe to the story of their glorious exertions. Let us pause a moment only upon the select catalogue, and take the first upon the list.—

View him in his private station, and here, as

though Providence, for his excellencies, had selected him for her own from the extensive circle of humanity, we perceive him enjoying her richest dispensations. By an affluent fortune, placed beyond the reach of poverty or dependence, blessed with the social circle of friends, and happily connected by yet more endearing ties, peaceful reflections are his companions through the day, and the soothing slumbers of innocence hover over his couch: charity presides steward of his household, and the distressed are ever sure to receive from his bosom that sigh which never fails to console, and from his cheek the alleviating tear of sympathy. Having reached the summit of human felicity, beyond even the picture of his most sanguine expectations, it is indifferent to him, as an individual, whether prince or people rule the state, but nurtured in the bosom of freedom, endowed with a greatness of soul, swallowed up with public spirit and the love of mankind, does oppression scatter her baleful prejudices, does ambition rear its guilty crest, friends,\* relations and fortune are like the dust of the balance. The pleas of nature give way to those of his country, and urged on by heavenly motives, he flies instantly to her relief. See him, while grief distracts his bosom at the effusion of human blood, grasp the sword of justice and buckle on the harness of the warrior. See him, with fortitude unparalleled, with perseverance indefatigable, deaf to pleasure and despising corruption, cheerfully encountering the severest tasks of duty, and the hardest toils of a military life. Modest in prosperity, and shining like a meteor in adversity, we behold this patriotic hero, with a small army of determined freemen, attacking, fighting and conquering an army composed of the bravest veteran troops of *Britain*.

And shall we, my countrymen, stop the current of gratitude? and can we forbear testifying our joy upon the success of such singular exertions? shall we seal his death before we thank him for his services? by no means.—Our acknowledgments will irresistibly flow from us to this deserved object of admiration, and his very actions will sting the soul of the ungrateful wretch, until he is forced to admire their lustre, and confess his inability to equal them.

Some there are who, Roman-like, would banish him for his good conduct; but while we copy the

\**Cari sunt parentes, cari liberi, propinqui, familiares, sed omnes omnium caritates patriæ uxor complexa est, pro qua quis bonus dubitet mortem oppetere?*  
*Cæsar.*

spirit of this great people, let us not be as diligent to catch their vices. Such conduct is inconsistent with the sentiments of freemen, and surely we cannot forget that he has saved our country.

Rewards\* and punishments are in the hands of the public, and it is equally consistent with generosity and humanity to bestow the one, as inflict the other. We cannot be too cautious in the objects of our gratitude; let merit, conspicuous merit, be the standard to which our praises shall resort, and it will excite a noble emulation in others, and let us rather forbear that respect, which is too often found attendant upon the rich, though their wealth has been amassed with the ruin of their country.

But the praises of us are not the patriot's only reward; with an approving conscience sweetening the declivity of life, his invitation is to the skies, there to receive a far more precious reward, for the establishment of that principle to which, since the origin of mankind, heaven hath paid an immediate attention.

\* Where the brave youth with love of glory fired,  
Who greatly in his country's cause expired,  
Shall know he conquered. The firm patriot there,  
Who made the welfare of mankind his care,  
Though still by faction, vice, and fortune crost,  
Shall find his generous labor was not lost.†

Such is the progress of public spirit and the love of virtue, and it is the only pillar upon which can safely be erected the happiness of mankind. Without some play of the social affections in every society, without some barrier to oppose the stormy passions of individuals, without some general attachment to the public welfare, a door is open to ambition and political corruption;‡ luxury and selfishness become fashionable vices, and the spirit of the government is perverted; the public good is neglected, the riches of the state insecure, the liberty of the subject slighted, and the attempts of the tyrant made successful by the follies of the people.

\*One method of preventing crimes is to reward virtue. If the rewards for the discovering of useful truths have increased our knowledge and multiplied good books, is it not probable that rewards, distributed by the beneficent hand of a sovereign, would also multiply virtuous actions? The coin of honor is inexhaustible, and is abundantly fruitful in the hands of a prince who distributes it wisely.

*Marq. of Beccau.*

†Cato.

‡The Assyrian, the Persian and Cæsan, the three first universal monarchies, finally sunk under luxury and corruption; and it is well known that the Romans did not preserve their liberties for half a century after being debauched by the luxury of Asia, but fell a prey to its vices; and was at length divided by the Goths and Vandals.

What but the want of patriotism, that hath buried in ruins the mighty empires of Greece and Rome, that standing armies, the scourge of the innocent, prevail throughout all Europe, that the pages of history present to our view so melancholy a picture of the human species, and that America and Britain are not at this day running the road to greatness and glory in concert; and what is it but the want of patriotism that could induce that haughty nation, divested of every public virtue, of every bosom feeling, of every pretension to humanity, without apology or pretext, to usher a standing army, composed of vagrants, criminals, and mercenaries, into our peaceful country.

O my countrymen, it is the want of patriotism that we are at this time called to weep over the wanton massacre of innocent men; that this is not the only house of mourning; that the fields of America have become devoted to war, and scenes of slaughter familiar to her sons; that our oppressors yet persist in their destructive system of tyranny, and if their power was equal to their thirst of blood, with the spirit of ambition by which they are now directed, would lead them to destroy and extirpate the whole human race. But thanks be to heaven, that by the force of those virtues which they have discarded, we have nobly resisted the attempts of these cruel men, and the miseries they have so profusely dealt out to us, are returning, with additional vengeance, upon their own heads. The danger of the issue is now past, and if we but retain the same patriotic ardor, with which we first defended our rights from the grasp of our enemies, they are every day in our power. We have every thing to hope; they on the other hand have every thing to fear. Youth, vigor, and the invincible arm of justice, are on our side:—The genius of liberty also is our advocate, who, though persecuted, hath never been conquered.

In our day we are called to see a happy country laid waste at the shrine of ambition; to experience those scenes of distress which history is filled with: but experience rivets its lessons upon the mind, and if we resolve with deliberation, and execute with vigor, we may yet be a free and flourishing people. Repine not too much at the ravages of war, nor murmur at the dispensations of Providence. We oftentimes rate our blessings in proportion to the difficulty of attaining them, and if, without a struggle, we had secured our liberties, perhaps we should have been less sensible of their value. Chastisements in youth are not without their advantages; blessings most commonly spring from

them in old age. They lead us to reflect seriously in the hour of retirement, and to cherish those qualifications which are frequently lost in the glare of prosperity.

The important prophecy is nearly accomplished. The rising glory of this western hemisphere is already announced, and she is summoned to her seat among the nations. We have publicly declared ourselves convinced of the destructive tendency of standing armies: we have acknowledged the necessity of public spirit and the love of virtue to the happiness of any people, and we profess to be sensible of the great blessings that flow from them. Let us not then act unworthy of the reputable character we now sustain: like the nation we have abandoned, be content with freedom in form and tyranny in substance, profess virtue and practice vice, and convince an attentive world that in this glorious struggle for our lives and properties, the only men capable of prizing such exalted privileges, were an illustrious set of heroes, who have sealed their principles with their blood. Dwell, my fellow-citizens, upon the present situation of your country. Remember that though our enemies have dispensed with the hopes of conquering, our land is not entirely freed of them, and should our resistance prove unsuccessful by our own inattention and inactivity, death will be far preferable to the yoke of bondage.

Let us therefore be still vigilant over our enemies—instit into our armies the righteous cause they protect and support, and let not the soldier and citizen be distinct characters among us. By our conduct let us convince them,\* that it is for the preservation of themselves and their country they are now fighting; that they, equally with us, are interested in the event, and abandon them not to the insatiable rapacity of the greedy extortioner.

As a reward for our exertions in the great cause of freedom, we are now in the possession of those rights and privileges attendant upon the original state of nature, with the opportunity of establishing a government† for ourselves, independent upon any nation or people upon earth. We have the experience of ages to copy from, advantages that

\*It has ever been thought inconsistent with good policy and even common sense to commit the defence of a country to men who have no interest in its preservation.  
*Diod. Lib. 1. p. 67.*

†The true definition of a free state is where the legislative adheres strictly to the laws of nature, and calculates every one of its regulations for improving society and for promoting industry and honesty among the people.

*Home's hist. vol. 2. p. 132.*

have been denied to any who have gone before us. Let us then, my fellow-citizens, learn to value the blessing. Let integrity of heart, the spirit of freedom and rigid virtue be seen to actuate every member of the commonwealth. Let not party rage, private animosities, or self-interested motives, succeed that religious attachment to the public weal which has brought us successfully thus far; for vain are all the boasted charms of liberty if her greatest votaries are guided by such base passions. The trial of our patriotism is yet before us, and we have reason to thank heaven that its principles are so well known and diffused. Exercise towards each other the benevolent feelings of friendship, and let that unity of sentiment, which has shone in the field, be equally animating in our councils.

Remember that prosperity is dangerous: that though successful, we are not infallible; that like the rest of mankind we are capable of erring. The line of our happiness may be traced with exactness, and still there may be a difficulty in pursuing it. Let us not forget that our enemies have other arts in store for our destruction; that they are tempting us into those snares which, after successful struggles, proved the ruin of the empires of the east; and let this sacred maxim receive the deepest impression upon our minds, that if avarice, if extortion, if luxury and political corruption, are suffered to become popular among us, civil discord and the ruin of our country will be the speedy consequence of such fatal vices; but while patriotism is the leading principle, and our laws are contrived with wisdom, and executed with vigor, while industry, frugality and temperance, are held in estimation, and we depend upon public spirit and the love of virtue for our social happiness, peace and affluence will throw their smiles upon the brow of the individual, our commonwealth will flourish, our land become the land of liberty, and America an asylum for the oppressed.

ORATION DELIVERED AT BOSTON, MARCH 5, 1781,  
BY THOMAS DAWES, JUN.

*"Patria cura—carior Libertas!"*

Fathers, friends and citizens—Avoiding apology, even at a time when uncommon propriety might justify it, and trusting rather to a continuance of the same liberality which has ever noted my countrymen, I attempt the duties of this solemn anniversary.

And it is conceived that we shall, in some measure, perform those duties, if we sketch out some general traits of liberty, and mark the lines of her

progress in particular nations, if we paint the wounds she has suffered from corruption and despotic force, and from the whole deduce such sentiments as become a brave and free, though injured people.

Numerous as the descriptions are of primeval man, the reflective eye is not yet weary. We still feel an interest in that Arcadian state which so well imitated the world we are looking for. And we shall continue to feel it so long as nature is pleasing and the heart retains a feature of innocence. Like the gods,\* our first fathers had but few desires, and those to be satisfied by the works of virtue. Their passions were as the gales of their own Eden—enough to give a spring to good actions—to keep the waters of life in motion without inducing storm and whirl-wind.† Conversing with divinities, liberty, sent from above, was their peculiar inmate: that liberty, whose spirit, mingling with the nature of man at his formation, taught him, unlike the other animals, to look upward and hope for a throne above the stars;‡ that liberty who taught him to pluck, with confidence, the fruits of nature; to pursue the direction of reason upon his heart, and, under that direction, to acquire, secure, and enjoy all possible happiness, not impeding, but assisting others in the same privilege.§ When families, and consequently human wants were afterward multiplied, it was this same liberty who, joined with justice, led the patriarchs to some aged oak. There, in the copious shade, misunderstandings were explained, and charity and peace embraced each other.—Such was the morning of man!

But misunderstandings are quarrels in embryo. Satisfaction of one want originated another. Depravity grew enraptured with strife. The wind was up. Passion raged. Brother's blood then smoked from the ground and cried for vengeance. Nimrod commenced his prelude to tyranny, and Fame was clamorous with the deeds of death.—Liberty heard and trembled—considered herself an outcast, and has, on many times since, travelled

\*It was represented of Marcus Aurelius, that in imitating the gods, his study was to have as few wants as possible. *Vid. Spectator No 634.*

†The passions of every kind, under proper restraints, are the gentle breezes which keep life from stagnation; but, let loose, they are the storms and whirlwinds which tear up all before them.

*Mrs. Brooke.*

‡Pronaque cum spectent animalia cætera terram,  
Os homini sublime dedit, cælumque tueri  
Jussit. *Ovid. M. t.*

§No man's social liberty is lessened by another's enjoying the same. *Bohqn.*



up and down the world forlorn, forsaken, majesty, in rags. Nor will she, *perhaps*, until the millenium comes, if America does not now retain her, ever command that complete and *permanent* homage which is suitable to her nature. The old republics may have been the most perfect seats of her residence while they lasted, and are often mustered up from the tomb of empire to witness the adoration which they paid her. But even there she received so frequent violence that the continuance of her reign was for the most part precarious; and when even at the summit of her glory, she was only elevated that her fall might be more astonishing. Having passed all the degrees of fortune, thank God she has found her way to these remote shores: and, if from effects we may judge, she is well pleased with her new abode. O cherish the divine inhabitant! O let her not return to the courts above with a story that shall fire the heavens against us—that *she* had blessings for us, but that *we* were not prepared to receive them—that she could find among us no lasting habitation; but that, like the dove after the deluge, she was scarce favored with the top of some friendly mountain for a melancholy moment.

Liberty, my friends, is a palladium to the place of her dwelling, a rock and a sure defence. Wherever she is, every man has something to protect. He knows what are his riches, and that while he liveth himself shall gather them. He views, with conscious joy, his circumstances. His social affections shoot out and flourish. Even his prejudices are a source of satisfaction, and among them local attachment, a fault which leads to the side of patriotism.

Supported by, and tenacious of these fruits of liberty, some little free states, which the geographer in his map had *otherwise* never noticed, have long stood uninjured by change, and some of them inaccessible by the greatest efforts of power.—There is now, in a distant quarter of the globe, a living illustration of this remark. Situate upon a venerable pile of rocks, in Italy, stands the commonwealth of St. Marino. It was founded by a holy man whose name it bears, and who fled to this romantic fairy-land to enjoy religion and free air, unpursued by power and the restless spirit of the world. His example was followed by the pious, the humane, and the lovers of freedom. And these, a favourite few, who were before scattered up and down through other parts of Italy; who had lived all their days under arbitrary rule, and whom nature had secretly taught that

there was somewhere a happier institution for man—these hurried away to the snowy top of St. Marino: and having there first tasted those rights which come down from God, made it their *life's* labor to support and hand them down in purity. There every man finds his prosperity in submitting to those laws which diffuse equality. There every man feels himself happily liable to be called to the senate or the field: every man divides his day between alternate labor and the use of arms—on tip-toe, ready to start for the prize, the mark of universal emulation—the commonweal; officious to promote that interest which is at once the public's and his own. So stands a constitution informed with the very essence of liberty. It has so stood, while other neighboring states have been blackened and defaced with frequent revolution. And we prophesy that 'till the approach of some unforeseen vice—till some degeneracy unknown to the sirens creep upon the sons, St. Marino must stand admired: as, in its present circumstance, no prince or potentate, after sitting down and counting the cost, will ever attempt the impenetrable union of so much prudence and virtue.\*

The name of Venice now occurs to memory as another modern example of genuine greatness. The ascendancy gained by that single city over the whole Ottoman power—the universal panic that struck and pervaded all orders of the Turks when routed at Dardanelles, and the *reasonable fear* of approaching dissolution that reached even to the throne and blasted the heart and withered the nerves of a despot: these, amazing at first, nevertheless appear, when their springs are laid open, the natural issues of a contest between free agents and slaves.†

A more ancient and perhaps still more brilliant proof of the proportionate powers of different degrees of liberty, may be gathered from the annals of the city of Tyre. The Lybian madman‡ who thought he had conquered all and wept that he had no more to conquer§—the invincible son of Jove, before whom principalities and powers had bowed down their heads as a bulrush—behold him, with his phalanx, puzzled and confounded at the

\*Many of the facts here mentioned of St. Marino may be seen in Addison's more complete accounts of that republic.

†This alludes only to a particular era in the Venetian history.

‡And the horned head belied the Lybian god.

Pope.

§Alexander, after all his conquests, complained that he had no more worlds to subdue.

Seneca on a happy life

Walls of Tyre. To over-run Asia cost him less labor, enterprize and valor, than the reduction of this one favorite haunt of liberty.\* And perhaps he had never reduced her but for her own falling off from her pristine wisdom. Her liberty was not in first full vigor, but had received a shock from corruption introduced with riches. Bribery, pride, and oppression followed close behind. She was then cast out as prophane from the mountain of God† Tyre is become like the top of a rock—a place to spread nets upon.

Let us consider the story of Tyre as a monument which upon one side shews the force of excellence, and upon the other the baneful influence of vice; a memento that every state below the sun has, like Achilles of old, some vulnerable part. As not a nation is exempted; and lest, in a fond prejudice, we might exclude our own America, and so induce a fatal security, even America has received a caveat from heaven, and in her youthful purity has been tempted by her enemies. With whatsort of success tempted we need but remember the machinations and flight of the most infamous Arnold, and the affecting, though just separation of the unfortunate Andre.

Happy the nation that, apprised of the whole truth, impartially weighs its own alloy, and bars, with tenfold adamant, its gate of danger.—But to return,

I had cherished some aversion to names grown trite by repetition, and had, on that account, evaded the ancient republics. But I find the observation just, that "half our learning is their epitaph." I conceive that the "moss-grown" columns and broken arches of those once-renowned empires are full with instruction as were the groves of Lycæum or the school of Plato. Let Greece then be the subject of a moment's reflection. When liberty fled from the gloom of Egypt, she sought out and settled at infant Greece—there disseminated the seeds of greatness—there laid the ground-work of republican glory. Simplicity of manners, piety to the gods, generosity and courage were her earliest character. "Human nature shot wild and free."‡ Penetrated with a spirit of industry, her sons scarcely knew of relaxation: even their sports were heroic. Hence that elevated, independent soul, that contempt of danger, that laudable bias to

\*For an illustration of this see ancient universal history, vol. ii. page 75 and on; also—that part of Newton on the prophecies which relates to Tyre, vol. i.

†Ezekiel, xxxiii. 16.

‡From Dr. Blair's dissertation upon the works of Ossian.

their country and its manners. Upon the banks of Eurota flourished her principal state. Frugality of living and an avarice of time were of the riches of Lacedæmon. Her maxims were drawn from nature, and one was "that nothing which bore the name of Greek was born for slavery." From this idea flowed an assistance to her sister states. From a like idea in her sister states that friendship was returned in grateful measure. This, had it continued, would have formed the link of empire, the charm that would have united and made Greece invulnerable. While it lasted, the joint efforts of her states rendered her a name and a praise through the whole earth. And here, was it not for the sake of a lesson to my country, I would not only drop my eulogium of Greece, but draw an impervious veil over her remaining history. Her tenfold lustre might at this day have blazed to heaven, had the union\* of her states been held more sacred. But that union of her states, that cement of her existence once impaired—hear the consequence! the fury of civil-war blows her accursed clarion. The banners late of conquering freedom now adorn the triumphs of oppression. Those states which lately stood in mighty concert, invincible, now breathe mutual jealousy and fall piece meal a prey to the common enemy. Attic wisdom, Theban hardihood, Spartan valor, would not combine to save her. That very army, which Greece had bred and nourished to reduce the oriental pride, is turned vulture upon her own vitals—a damnable parricide, the faction of a tyrant. Behold the great and God-like Greece, with all her battlements and towers about her, borne head-long from her giddy height—the shame, the pity of the world.

\*Accuracy has been offended that this example is employed for the American states—which resemble each other in constitution and are united in their last resort; whereas the Grecian were unlike among themselves and professedly separate. But attention to the history of Greece will discover in the causes of her fall a lesson sufficiently apposite to our purpose. The anonymous translator of Tourneil writes as follows: "when Persia, so often vanquished by the Grecians, despaired of subduing them, her last shift was to divide them; to which their prosperity opened her a means. Spirits naturally quick and too licentious, blown up with their frequent victories, could not contain themselves or govern their good fortune; they abandoned themselves to jealousies and ambition.—These divisions ended, at last, in a general slavery."

Thomson most beautifully speaks the truth upon the same occasion—

- When Greece with Grece,  
Embroll'd with foul contention, fought no more  
For common glory and for common weal;  
But, false to freedom, sought to quell the free;  
Broke the firm band of peace, and sacred love,  
That tene the whole irrefragable  
And as around the partial trophy blus'd,  
Prepared the way for total overthrow.

Having attempted some general sketches of liberty, from the dawn of social life to the fall of national glory, I would be somewhat more particular upon those qualities to which her triumphs are chiefly indebted.

In the vile economy of depraved man, there appears an inclination to bestow upon one part power and affluence, and to impose upon the other debility and woe. When that inclination is gratified, the majority being slaves, the remains of freedom are shared among the great; like the triumphal bridge at the Archipelago, so strangely dignified, that, by a decree of the senate, none of the vulgar were suffered to enjoy it. When that inclination is counter-balanced by the laws; when the true interests of both those parts are reconciled; when society is considered as "a public combination for private protection,"\*—and the governed find their happiness in their submission—there is the essence of all powerful liberty. Not to wire-draw a sentiment already graven upon the hearts of this audience, it is such a liberty, as that every man who has once tasted it, becomes a temporary soldier as soon as it is invaded and resents any violence offered it, as an attack upon his life—hence it is that, in free states, *as such*, there is no such thing as a perpetual standing army. For the whole body of the people, ever ready, flock to the general standard upon emergency, and so preclude the use of that infernal engine. I say *infernal engine*, for the tongue "*labors*, and is at a loss to express," the hideous and frightful consequences that flow wherever the powers of hell have procured its introduction. Turkey and Algiers are the delight of its vengeance. Denmark, once over-swarmed with the brave inhabitants of the north, has suffered depopulation, poverty, and the heaviest bondage from the quartering troops amongst their peasants in time of peace: *if it can be called peace*, when robbery, conflagration and murder are let loose upon the sons of men. Indeed, it is said that no nation ever kept up an army in time of peace that did not lose its liberties. I believe it. Athens, Corinth, Syracuse, and Greece in general were all overturned by that tremendous power: and the same power has been long operating with other causes to humble the crest of Britain. Let us hear a passage from Davenant! "If (says he, speaking of standing armies) if they who believed this eagle in the air frightened all motions towards liberty; if they who heretofore thought armies inconsistent of peace, and our freedom inconsistent; if

\*Earl of Abingdon.

the same men should throw off a whig principle so fundamental, and thus come to clothe themselves with the detested garments of the tories, and if all that has been here discoursed on should happen, then will the constitution of this country be utterly subverted."† It would exceed the limits of the present occasion to expatiate upon all the instances wherein the liberties of Britain have in fact suffered according to the views of Davenant. Suffice it to say that a standing army has been, long since, *virtually* engrafted a limb upon her constitution, has frequently over-awed her parliaments, *sometimes her elections*,‡ and has carried distraction and massacre into different parts of her empire.

That standing mercenary troops must sooner or later entail servitude and misery upon their employers, is an eternal truth that appears from the nature of things. On the one hand behold an inspired yeomanry, all sinew and soul, having stepped out and defended their ancient altars, their wives and children, returning in peace to till those fields which their own arms have rescued. Such are the troops of every free people.§ Such were the troops who, led on by the patriot Warren, gave the first home-blow to our oppressors. Such were the troops who, fired by Gates in the northern woods, almost decided the fate of nations. Such were the troops who, under the great and amiable Lincoln, sustained a siege in circumstances that rank him and them with the captains and soldiers of antiquity. Such, we trust, are the troops who, inferior in number, though headed indeed by the gallant and judicious Morgan, lately vanquished a chosen veteran band long dedicated to Mars and disciplined in blood. And such, we doubt not, are the troops who beat the British legions from the Jerseys, and have ever since preserved their coun-

\*For the whole passage, which was too lengthy for our purpose, vid. the works of Dr. Davenant, corrected by Whitworth, vol. ii. p. 333.—Edition 1771.

†The election of the Scotch Peers in the year 1735, and the misconduct of Blackerby and others, at the election of the Westminster members in the year 1741, are instances well known.—Vid. Burgh's *politic disq.* 2d vol. p. 444 and 473.

‡The affair of capt. Porteus at Edinburgh (vid. *London Magazine* for 1737, in a variety of pages) and of capt. Preston, at Boston, are of themselves sufficient examples.

§That the yeomanry are the bulwark of a free people—was, if memory serves, in a celebrated extempore speech of the honorable Samuel Adams, made in the year 1773. The steadiness of that great republican to his political creed, evinces that sentiments grounded upon just data will not easily bend to a partial interest, or accommodate to the changes of popular opinion.

try, under the conduct of that superior man who combines in quality the unshaken constancy of Cato, the triumphant delay of Fabius, and *upon proper occasions*, the enterprising spirit of Hannibal.

May the name of WASHINGTON continue steel'd, as it ever has been, to the dark slanderous arrow that flies in secret. *As it ever has been!* for who have offered to eclipse his glory, but have afterward sunk away diminished, and "shorn of their own beams."

Justice to other characters forbids our stopping to gaze at this constellation of heroes, and would fain draw forth an eulogium upon all who have gathered true laurels from the fields of America.

\* *Thomson*—the tribute of our praise  
 \* *Demand*; but who can count the stars of heaven?  
 \* *Who speak their influence on this lower world.*"

Whither has our gratitude borne us? let us behold a contrast—the army of an absolute prince—a profession distinct from the citizen and in a different interest—a haughty phalanx, whose object of warfare is pay, and who, the battle over, and if perchance they conquer, return to slaughter the sons of peace. This is a hard saying. But does not all history press forward to assert its justice? do not the prætorian bands of tottering Rome now crowd upon the affrighted memory? do not the embodied guards from Petersburg and Constantinople stalk horrid the tools of revolution and murder? to come nearer home for an example, do we not see the darkened spring of 1770, like the moon in a thick atmosphere, rising in blood and ushered in by the figure of Britain plunging her poignard in the young bosom of America? Oh, our bleeding country! was it for this our hoary sires sought thee through all the elements,† and having found thee sheltering away from the western wave, disconsolate, cheered thy sad face, and decked thee out like the garden of Gou? time was when we could all affirm to this gloomy question—when we were ready to cry out that our fathers had done a vain thing.—I mean upon that unnatural night which we now commemorate; when the fire of Brutus was on many a heart—when the strain of Gracchus was on many a tongue. "Wretch that I am, whither shall I retreat? whither shall I turn me? to the capitol? the capitol swims in my brother's blood. To my family? there must I see a wretched, a mournful and afflicted mother?"‡—Misery loves to brood over its own woes: and so peculiar were the woes of that night, so expressive the pictures of despair,

\* Thomson.

†— *elementa per omnia quærun.*  
 ‡Guthrie's Cicero de Oratore.

Juv.

so various the face of death,\* that not all the grand tragedies which have been since acted, can crowd from our minds that era of the human passions, that preface to the general conflict that now rages. May we never forget to offer a sacrifice to the manes of our brethren who bled so early at the foot of liberty. Hitherto we have nobly avenged their fall: but as ages cannot expunge the debt, their melancholy ghosts still rise at a stated season, and will forever wander in the night of this noted anniversary. Let us then be frequent pilgrims at their tombs—there let us profit of all our feelings; and, while the senses are "struck deep with woe," give wing to the imagination. Hark! even now in the hollow wind I hear the voice of the departed. *O ye, who listen to wisdom and aspire to immortality, as ye have avenged our blood, thrice blessed! as ye still war against the mighty hunters of the earth, your names are recorded in heaven!*

Such are the suggestions of fancy: and having given them their due scope; having described the memorable fifth of March as a season of disaster, it would be an impiety not to consider it in its other relation. For the rising honors of these states are distant issues, as it were, from the intricate† though all-wise Divinity which presided upon that night. Strike that night out of time, and we quench the first ardor of a resentment which has been ever since increasing, and now accelerates the fall of tyranny. The provocations of that night must be numbered among the master-springs which gave the first motion to a vast machinery, a noble and comprehensive system of national independence. "The independence of America," says the writer, under the signature of Common Sense, "should have been considered as dating its era from the first musquet that was fired against her." Be it so! but Massachusetts may certainly date many of its blessings from the Boston massacre—a dark hour in itself, but from which a marvellous light has arisen. From that night revolution became inevitable, and the occasion commenced of the present most beautiful form of government. We often read of the original contract, and of mankind, in the early ages, passing from a state of nature to immediate civilization. But *what eye* could penetrate through gothic night and barbarous fable to that remote period. Such an eye, perhaps, was present, when the Deity conceived the universe and fixed his compass upon the great deep ‡

\* "Plurima mortis imago."

† "The ways of heaven are dark and intricate."  
*Addison's Cato.*

‡ Not that we can believe, with some theoretical

And yet the people of Massachusetts have reduced to practice the wonderful theory. A numerous people have convened in a state of nature, and, like *our ideas* of the patriarchs, have deputed a few fathers of the land to draw up for them a glorious covenant. It has been drawn. The people have signed it with rapture, and have, thereby, bartered, among themselves, an easy degree of obedience for the highest possible civil happiness. To render that covenant eternal, patriotism and political virtue must forever blaze—must blaze at the *present day* with superlative lustre; being watched, from *different motives*, by the eyes of all mankind. Nor must that patriotism be contracted to a single commonwealth. A combination of the states is requisite to support them individually. “Unite or die” is our indispensable motto. Every step from it is a step nearer to the region of death. This idea was never more occasional than at the present crisis—a crisis pregnant with fate and ready to burst with calamity. I allude to that langor which, like a low hung cloud, overshadows a great part of the thirteen states. That the young, enterprising America, who stepped out in the cause of human kind, and no other arm daring, lopped the branches of wide despotic empire—that the same America should now suffer a few insolent bands to ravage her borders with impunity—that *her now tardy* hand should suspend the finishing stroke of resentment, and leave to her *generous allies* a labor which her own vigor ought to effect; this must disturb those, illustrious, who fell in her infant exertions; this must stab the peace of the dead, however it may affect the hearts of the living. Oh could I bear a part among the means of awakening virtue—oh could I call strength to these feeble lungs and borrow that note which shook the throne of Julius! vain wish! if the silent suggestions of truth—if the secret whispers of reason are not sufficient—the efforts of human eloquence might be *futile*, her loudest bolt might roll *unheeded*!

This is not intended to inspire gloom; but only to persuade to those exertions which are necessary to life and independence. Let justice then be done to our country—let justice be done to our great leader; and, the only means under heaven  
*writers*, that individuals met together in a large plain, entered into an original contract, &c.

But though society had not its formal beginning from any convention of individuals, &c.—

And this is what we mean by the original contract of society; which, though perhaps, in no instance it has been formally expressed, at the first institution of a state, yet, &c.—

*See Blackstone's Com. p. 47, vid. the whole passage.*

of our salvation, let his army be replenished. That grand duty over, we will once more adopt an enthusiasm sublime in itself, but still more so as coming from the lips of a first patriot—the chief magistrate of this commonwealth. “I have, said he, a most animating confidence that the present noble struggle for liberty will terminate gloriously for America.” Aspiring to such a confidence,

I see the expressive leaves of fate thrown wide;  
 Of future times I see the mighty tide.  
 And borne triumphant on its buoyant wave,  
 A god-like number of the great and brave.  
 The bright, wide ranks of martyrs—here they rise—  
 Heroes and patriots move before my eyes:  
 These crown'd with olive, those with laurel come,  
 Like the first fathers of immortal Rome.  
 Fly time! oh lash thy fiery steeds away—  
 Roll rapid wheels and bring the smiling day,\*  
 When these blest states, another promis'd land,  
 Chosen out and foster'd by the Almighty hand,  
 Supreme shall rise—their crowded shores shall be  
 The fix'd abodes of empire and of liberty.

ORATION DELIVERED AT BOSTON, MARCH 5, 1782,  
 BY GEORGE RICHARDS MINOT.

Quid tantum insano juvat indulgere dolori?

—non hæc sine numine divum.

Virg. *Æn.* 2d. 776.

Eveniunt.

Inde genus durum sumus, experiensque laborum;  
 Et documenta damus, qua sinus origine nati.

Ovid *Metam.* lib. 1. 414.

*Fathers, friends, and fellow citizens*—When I consider the important occasion from which this anniversary derives its origin, and the respectable characters that have exerted themselves to perpetuate its history, I confess there is an unusual security in my feelings; since no mistaken effort of mine can injure an institution, founded on so memorable an event, and supported by names so justly claiming the applause of posterity.

While I rely, then, upon that honesty of intention, which is itself the best apology for its errors, permit me to employ the present hour, which your united voices have annually made sacred to the commemoration of our country's wrongs, in recapitulating the most injurious of her sufferings, among which that on the tragical *fifth of March* is by no means the least, and in recounting the blessings which have followed from measures as really disgraceful to those who adopted them, as they were intentionally destructive to those against whom they were levelled.

A nation falling from those great principles of justice and virtue which had made her respectable; subverting the boasted improvements of her arts to the savage purposes of revenge; with venality and corruption entrenched on her cabinet, affords a spectacle too serious for the amusement

\*Sun gallop down the western skies,  
 Gang soon to bed and quickly rise;  
 O lash your steeds, post time away,  
 And haste about the bleezing day.

Allen Ramsay.

of the beholder. He turns for relief to the annals of those people whose masculine virtues have obstinately, will he not say wisely, resisted the refinement of a civilized world. But from the misfortunes of such a nation, much is to be learned. As she is hurried onwards by the vortex of that immeasurable gulph, in which empires sink to rise no more, let her serve us as a signal to avoid the first impulse of its resistless tide.

To trace Great Britain through the whole progress of her ambition in this country, would be to step back to a very early period: for, long before she avowed her system of colonial slavery in the stamp-act, the liberties of our ancestors had endured the most alarming innovation from her throne. Without cause, and without notice, she had invalidated their charters; laid impositions upon their trade; attempted a most dangerous influence over their internal government, by endeavoring to make it independent of the people;—and all this with the same confidence, as though her policy and foresight, and not her persecutions, had settled them on this side the Atlantic.

But the full display of her despotic policy was reserved to add accumulated disgrace to the inglorious reign of the third-George. Then, intoxicated with *America*, she slumbered upon the tottering pillars of her own constitution; the hand of slavery rocked her as she lay on the giddy height; falsehood gilded her visions and bound her senses with the enchantment of success; while her blind ambition alone remained awake, to misdirect the ordinary assistance of fortune, and to make her fall equally certain and complete.

The genius of Britain once interred, the first spectre which shot from its tomb was the stamp-act. This promulgation of a scheme so repugnant to the fundamental principles of the late English constitution, announced the fall, but did not obliterate the memory of that much respected system, in this country. *America* saw that the act bore not a single feature of its reputed parent, and having detected its illegitimacy, effectually resisted its operation. But, as though conviction must ever be productive of obstinacy, Britain desisted not to read in pieces the charters of her colonies, which served to remind her of the violence she committed on her own. Her administration affecting to realize the fables\* of its minions, whose very fears were

as subservient to its purposes, as their hopes were dependent on its venality, and making pretence of trespasses, which, if real, the laws were open to punish, unmasked its true designs, by quartering an armed force in this metropolis in a time of peace.

Where was the citizen whose indignation did not flash at this undisguised attack on his liberties? the soldiers' pride too grew sanguinary at the idea of contempt from the people he himself had been taught to despise; and, as though heaven designed to effect its greatest purposes by the sacrifice of what men conceive to be the dearest objects of its guardianship, the lives and rights of citizens were delivered over to the scourge of military rancour.

\*Venerable patrons of freedom, wherever your country may lie! boast not that the reason and speculative truths of this our common cause, armed an extensive world in support of its justice. Turn to the tragedy we commemorate, as imprinted by the bloody hand of the tyrant, and view the highest outrage his power could commit, or the forbearance of humanity sustain. There hecatombs of slaughtered citizens were offered at the shrine of cursed ambition.—What can we add to their memories through whose wounds their country bled; whose names are handed round the globe with the great occasion on which they fell; and whose tombs shall ever stand a basis to the stateliest pillar in the temple of freedom? heaven has avenged their fall by realizing the prophecy of the indignant American, as he vented his anguish over their rankling blood. "These are indeed my country's wounds,† but oh! said he, the deep and tremendous restitutions are at hand; I see them with a prophetic eye this moment before me. Horrors shall be repaid with accumulation of horror. The wounds in *America* shall be succeeded by deep-mouthed gashes in the heart of *Britain!* the chain of solemn consequences is now advancing. Yet, yet my friends, a little while, and the poor, forlorn one, who has fought and fallen at the gate of her proper habitation, for freedom, for the common privileges of life, for all the sweet and binding principles in humanity, for father, son, and brother, for the cradled infant, the wailing widow, and the weeping maid; yet, yet a little while and she shall find an avenger. Indignant nations shall arm in her defence. Thrones and principalities shall make her cause their own, and the fountains of blood that have run from her exhausted veins shall be answer-

\*For some of these fanciful misrepresentations, see a vindication of the town of Boston, from many false and malicious aspersions, contained in certain letters written by governor Bernard and others, published by order of the town, 1769.

\*See Abbe Raynal's hist. American revolution, p. 65.

†Anonymous.

ed by a yet fuller measure of the horrible effusion—blood for blood; and desolation for desolation; O my injured country! my massacred *America!*”

Melancholy scene! the fatal, but we trust the last effect in our country of a *standing army quartered in populous cities in a time of peace.*

Britain having thus violated the greatest law nations or individuals can be held by, to use the language of the ancients, threw a veil over the altars of her gods whom she was too haughty to appease. Would to heaven, for her sake, we too had a veil to hide from the eye of justice, the ashes of our desolated towns, and the traots which her ravages have imprinted through every quarter of our once peaceful land.

If “every act of authority of one person over another, for which there is not an absolute necessity, is tyrannical,” and if tyranny justifies resistance, to have remained inactive, under these injuries, had been a kind of political stoicism, equally inconsistent with the laws of nature and of society. On such principles arose the memorable declaration of *July, 1776*.—A declaration which at once gave life and freedom to a nation; dissolved a monopoly unnatural as unjust; and extended the embraces of our country to the universe.—A declaration which heaven has since ratified by the successful event of her arms. For, when we consider the number of her victories; the disadvantages under which they were obtained; with the chain of important consequences which depended upon the very moment of their decision, who but must acknowledge, after allowing to our military actors every thing heroism can claim, that there appeared peculiar marks of more than human assistance? the surrender of entire armies to a power which they affected to look upon rather as an object of their chains than of their swords, was a degree of glory which no enemy that ever passed the Roman yoke afforded to that republic. Hapless *Britain!* for even those whom you injure must pity you, how has fortune added acrimony to her fickleness, in choosing for a scene of your disgrace, that climate where, in a late war, she so loudly vaunted the invincibility of your arms!

America once unfettered, nobly relied upon the uprightness of her cause and the bravery of her sons. But, as though the virtues of one crown were to apologise for the merciless cruelty of another, a monarch, equally wise in council as brilliant and powerful in arms, met her in an alliance which

must ever enliven her gratitude; exalt the honor of France, and we trust too, promote the interests of both.

Among the advantages which have arisen from these great events to the people of *Massachusetts*, that of securing their lives, their liberties, and property, the great object of all civil government, by a constitution of their own framing, is not to be accounted the least. Dismembered from a government, which had long stood by the exactest balance of its powers, even against the corruption of its ministers, they found themselves accustomed to principles, which age had stamped with authority, and patriots sealed with their blood. The cause of their separation had taught them the avenues through which despotism insinuates itself into the community, and pointed out the means of excluding it. Under these circumstances they produced a system which, we trust, experience will evince to be an improvement\* upon the best mankind have hitherto admired. The quick return of all delegated power to the people, from whom it is made to spring, and the check which each part of the government has upon the excesses of the other, seem to warrant us in placing on it all the confidence human laws can deserve. But,

Let us not trust laws: an uncorrupted people can exist without them; a corrupted people cannot long exist with them, or any other human assistance. They are remedies which at best always disclose and confess our evils. The body politic, once distempered, they may indeed be used as a crutch to support it a while, but they can never heal it. *Rome*, when her bravery conquered the neighboring nations, and united them to her own empire, was free from all danger within, because her armies, being urged on by a love for their country, would as readily suppress an internal as an external enemy. In those times she made no scruple to throw out her kings who had abused their power. But when her subjects fought not for the advantage of the commonwealth; when they thronged to the Asiatic wars for the spoils they produced, and preferred prostituting the rights of citizenship upon any barbarian that demanded them, to meeting him in the field for their support, then *Rome* grew too modest to accept from the hands of a dictator those rights, which she ought to have impaled him for daring to invade. No alteration in her laws merely, could have effected this. Had she remained virtuous, she might as well have expelled her dictators as her kings. But what laws can save a

\*Beczria on crimes and punishments, p. 10.

\*Is it not so in the equality of representation and mode of election?

People who, for the very purpose of enslaving themselves, choose to consider them rather as councils which they may accept or refuse, than as precepts which they are bound to obey;\* with such a people they must ever want a sanction and be contemned. —†Virtue and long life seem to be as intimately allied in the political as in the moral world: she is the guard which providence has set at the gate of freedom.

True it is, when the nature and principles of a government are pure, we have a right to suppose it at the farthest possible distance from falling. But when we consider that those countries in which the wisest institutions of republican governments have been established, now exhibit the strongest instances of apostacy, we cannot but see the necessity of vigilance. Commerce, which makes perhaps, the greatest distinction between the old world and the modern, having raised new objects for our curiosity, habitual indulgence hath at length made them necessary to our infirmities. Thus effeminated, can we hope to exceed the rigor of their principles, who even forbade the mentioning of a foreign custom, and whose sumptuary laws are held up in our age as objects of astonishment? Such nations have mouldered away, an uncontrovertable proof, that the best constructed human governments, like the human body, tend to corruption; but as with that too, there are not wanting remedies to procrastinate their final decay.

Among the causes of their fall there are none more common or less natural than that of their own strength. Continual wars making a military force necessary, the habit of conquest once acquired and other objects being wanting, history is not without instances of its turning itself inwards, and gnawing as it were, upon its own bowels. Happy

\*A conscience more scrupulous, than it is probable Sylla ever had, would be apt to imagine this general disposition of the people wiped away the guilt of enslaving them from any hand that effected it. If in any case, 'tis in this that we may apply the maxim *volenti non fit injuria*.

†Virtue, in a republic, is a most simple thing, it is a love for the republic; it is a sensation, and not a consequence of acquired knowledge: a sensation that may be felt by the meanest as well as by the highest person in the state.

*Spirit of laws, book 5th, chap. 2d.*

‡The politic Greeks who lived under a popular government, who knew no other support but virtue. The modern inhabitants of that country are entirely taken up with manufactures, commerce, finances, riches, and luxury.

*Spirit of laws, book 3d, chap. 3d.*

§For a complete collection of these, I beg leave to refer to the 3d book of the political disquisitions.

are we in the frequent change of our soldiery.\* This seems to be the best antidote against such an evil. It prevents that lethargy which would be a symptom of death in the citizen at home; and checks that immoderation in the soldier which is apt to mislead his virtues in the field. By this exchange of their qualities they mutually warrant happiness to each other, and freedom to their country.

America once guarded against herself, what has she to fear? her natural situation may well inspire her with confidence. Her rocks and her mountains are the chosen temples of liberty. The extent of her climate, and the variety of its produce, throw the means of her greatness into her own hands, and insure her the traffic of the world. Navies shall launch from her forests, and her bosom be found stored with the most precious treasures of nature. May the industry of her people be a still surer pledge of her wealth.—The union of her states too is founded upon the most durable principles: the similarity of the manners, religion, and laws of their inhabitants, must ever support the measure which their common injuries originated. Her government, while it is restrained from violating the rights of the subject, is not disarmed against the public foe.

Could *Junius Brutus*, and his colleagues, have beheld her republic erecting itself on this disjointed neck of tyranny, how would they have wreathed a laurel for her temples as eternal as their own memories! *America!* fairest copy of such great originals! be virtuous, and thy reign shall be as happy as durable, and as durable as the pillars of the world you have enfranchised.

ORATION DELIVERED AT BOSTON, MARCH 5, 1783,  
BY DR. THOMAS WELSH.

*Non tali auxilio, nec defensoribus istis  
Tempus eget: Virgil Æneid, Lib. 2. Lin. 521.*

*Friends and fellow-citizens*—Invited to this place by your choice, and recollecting your well known indulgence, I feel myself already possessed of your candor, while I “impress upon your minds, the ruinous tendency of standing armies being placed in free and populous cities in a time of peace.”

A field here presents, annually traversed by those who, by their sagacity have discovered, and by

\*The design of society being to protect the weak against the more powerful, whatever tends to taking away the distinction between them, and to putting all its members upon the same level, must be consonant to its first principles. This was an object with the old republics; Rome obliged her citizens to serve in the field ten years between the age of sixteen years and forty-seven.—*Vid. Reflections on the rise and fall of the Rom. Emp. c. 10 last note.*



their voices declared, in strains of manly eloquence, the source from whence those fatal streams originate, which, like the destroying pestilence, have depopulated kingdoms and laid waste the fairest empires.

In prosecution of the subject, I presume I shall not offend a respectable part of my audience, I mean the gentlemen of the *American patriot army*\*—an army whose glory and virtues have been long since recorded in the temple of fame—her trumpet has sounded their praises to distant nations—her wing shall bear them to latest ages.

When the daring spirit of ambition, or the boundless lust of domination, has prompted men to invade the natural peaceful state of society, it is among the first emotions of the heart, to repel the bold invader. Men, assembled from such motives, having expelled the enemy from their borders, re-assuming the pruning-hook and the spade, for the sword and the spear, have, in all ages, been called the saviours of their country.

A militia is the most natural defence of a free state, from invasion and tyranny: they who compose the militia, are the proprietors of the soil; and who are so likely to defend it, as they who have received it from their ancestors—acquired it by their labor—or obtained it by their valor? every free man has within his breast the great essentials of a soldier, and having made the use of arms familiar, is ever ready for the field. And where is the tyrant who has not reason to dread an army of freemen?

In the battle of Naseby,† in the days of Cromwell, the number of forces was equal on both sides; and all circumstances equal. In the parliament's army only nine officers had ever seen actual service and most of the soldiers were London apprentices, drawn out of the city two months before. In the king's army there were about a thousand officers

\*I should not have neglected so favorable an opening to have shewn my poor respects to the character of the commander in chief of the American army, but from a consciousness of inability to add to a name, more durable than marble, which will outlive the assaults of envy and the ravages of time.

†The natural state of nations with respect to each other, is certainly that of society and peace. Such is the natural and primitive state of one man with respect to another; and whatever alteration mankind may have made in regard to their original state, they cannot, without violating their duty, break in upon that state of peace and society, in which nature has placed them, and which, by her laws, she has strongly recommended to their observance. *Parlamauqui, Part 4. Chap. 1. Sec. 4.*

‡Vid. political disquisitions.

who had served abroad, yet the veterans were routed by the apprentices.

Rome advanced on the zenith of glory and greatness, and conquered all nations in the times of the republic, while her army was an unpaid militia.

The Grecians carried on their wars against Persia by means of their militia; and at last beat the numerous mercenary armies, and subdued the vast empire of Persia.

The deeds of valor performed by my own countrymen, and in our day, are numerous and recent, and point out, as with a sun-beam, that the militia is to a free country a lasting security.

You will now permit me to consider the condition and consequences of a standing army.

Men who enlist themselves for life soon lose the feelings of citizens. To command and be commanded, excites an idea of servitude and dependence, which degrades the mind, and in a social view, destroys the character of a free agent.\*

They who follow the profession of arms conceive themselves exempted from the useful occupations of life, and thence contract a habit of dissipation; soldiers inured to exercise and labor in their duty, at leisure to roam, will not be wholly inactive in a city, where the means of gratification abound; pursuing the objects of pleasure, with the same zeal with which they engaged in the toils and enterprises of the field, whole armies have too late, found themselves destroyed by the dissolving power of luxury.

We have a remarkable instance of this, my fellow-citizens, in the army of Hannibal, which, having withstood the greatest hardships, and which the most dreadful dangers had never been able to discourage, in winter quarters, at Capua, was entirely conquered by plenty and pleasures.†

The effects of luxury, though productive of the greatest misfortunes to an army stationed in a city, are by no means confined to that class of men.

\*Moore, in his view of society and manners in Europe, observes—"As to the common soldiers, the leading idea of the discipline is, to reduce them in many respects, to the nature of machines; that they may have no volition of their own, but be actuated solely by that of their officers; that they may have such a superlative dread of their officers, as annihilates all fear of the enemy; that they may move forward when ordered, without deeper reasoning or more concern than the firelocks they carry along with them."

†Vid. Livy's Roman history for an account of the battles, sufferings, and almost incredible march and destruction of the renowned Carthaginian general and his army.

The great body of the people, smote by the charms and blandishments of a life of ease and pleasure, fall easy victims to its fascinations. The city, reared by the forming hand of industry, soon feels the symptoms of dissolution—the busy merchant now no more extends his commerce; the mechanic throws aside his chissel; the voice of riot succeeds to the sound of the hammer, and the midnight revel to the vigils of labor.

When a large respectable standing army has been stationed in a city, commanded by officers of known patriotism, who have taught those under their orders to interchange the kind and friendly offices of life; citizens, conceiving themselves secured from domestic broils and the danger of invasion from abroad, imperceptibly relax in their attention to military exercises, and may thus be exposed as a tempting bait to an aspiring despot; besides, a people who have made themselves respectable by their personal attention to their own defence, neglecting their militia, may be insulted by those neighbors who had formerly been accustomed to revere their power.

When communities have so far mistaken their interest as to commit the defence of every thing valuable in life to a standing army, the love of ease will scarcely permit them to re-assume the unpleasant task of defending themselves.

At the conclusion of a long and bloody war, the liberties of a people are in real danger from the admission of troops into a free city. When an army has suffered every hardship to which the life of a soldier is peculiarly incident, and has returned crowned with the well-earned laurels of the field, they justly expect to be received into the open arms, and with the applauses of those for whom they have fought, and in whose cause they have bled; in a situation like this, whole communities, in transport of gratitude, have weakly sacrificed at the shrine of a deliverer, every thing for which their armies have fought, or their heroes bled.

Nations, the most renowned among the ancients for their wisdom and their policy, have viewed the army with an eye of attentive jealousy; the Romans, characterised for *personal bravery*,\* trembled for

\*In the battles fought in our age, every single soldier has very little security and confidence except in the multitude; but among the Romans, every individual, more robust and of greater experience in war, as well as more intured to the fatigues of it, than the enemy, relied upon himself only. He was naturally endued with courage, or in other words, with that virtue which a sensibility of our own strength inspires. *Montesquieu.*

—8.

their country, at the sight of one hundred and fifty lictors, or peace officers, as a guard of the decemviri—Such an army was dangerous, they said, to liberty. These politic people knew the prevailing propensity in all mankind to power. The history of later times has abundantly justified the wisdom of their jealousies. All parts of Europe which have been enslaved, have been enslaved by armies. No nation can be said to enjoy internal liberty which admits them in a time of peace. When a government has a body of standing troops at command, it is easy to form pretensions for the distribution of them, so as to effect their own purposes; when a favorite point is to be carried, a thousand soldiers may convey irresistible argument, and compel men to act against their feelings, interest, and country.

Such were the arguments employed by Philip the second, of Spain, to persuade the inhabitants of the Netherlands to relinquish their liberties, their property, and their religion; the progress of these dreadful measures produced scenes of massacre and devastation, the recital of which must excite exquisite horror in the most savage breast.

One of the commanders of the army under the duke of Alva, demanding a pass through the city of Rotterdam,\* was at first refused, but assuring the magistrates that he meant only to lead his troops through the town, and not to lodge them in it, they consented to suffer the companies to pass through one by one: no sooner had the first company entered the city, than the officer, without regard to his engagements, ordered them to keep the gates open until the other companies should arrive: one of the citizens, endeavoring to shut the gate, was killed by his own hand; his troops, eager to follow his example, drew their swords, and, giving a-loose to their fury, spread themselves over the town, and butchered more than three hundred of the inhabitants.

This was among the first events of that war which rendered the Netherlands a scene of horror and devastation for more than thirty years; but which, whilst it proved the source, on many occasions, of extreme distress to the people, called forth an exertion of virtue, spirit, and intrepidity, which seldom occurs in the annals of history.—Never was there a more unequal contest, than between the inhabitants of the Low-Countries and the Spanish monarch; and never was the issue of

\*The whole affair is related at length in Watson's hist. of the Low-Countries, to which the reader is referred.

any dispute more contrary to what the parties had reason to expect.

Under similar circumstances, my fellow-citizens, a standing army was introduced and stationed in this city; which produced the scene we now commemorate, and which I know you cannot all remember; but let the stranger hear and let the listening youth be told—*that on the evening of the fifth of March, seventeen hundred and seventy, under the orders of a mercenary officer, murder, with her polluted weapons, stood trampling in the blood of our slaughtered countrymen; imagination cannot well conceive what mingling passions then convulsed the soul and agonized the heart!—those pangs were sharp indeed, which ushered into life a nation!—like Hercules\* she rose brawny from the cradle, the snakes of Britain yet hung hissing round her horrible, and fell!—at her infant voice they hasted—at the dread of her rising arm they fled away.*

America, separated from the nations of Europe by the mighty ocean, and from Britain by the mightier hand of heaven, is acknowledged an *independent nation*; she has now to maintain her dignity and importance among the kingdoms of the earth. May she never be seduced from her true interest, by *subtle intrigue, mistaken policy, or misguided ambition*! but, considering her own condition, may she follow the *maxims of wisdom*, which are better than the *weapons of war*!

It has become fashionable in Europe, to keep a large standing army in times of peace. The people of Great Britain have professed their aversion to the establishment, yet have suffered it to gain ground, upon the idea of preserving the balance of power. This custom is so deeply rooted and so firmly established, that nothing short of annihilation of the governments where they have been so long tolerated can abolish the institution.

From the situation and vicinity of the nations of Europe with respect to each other, the different extent of territory rendering it more difficult to repel an invasion from some countries than others, for the celerity of defence and the more complete security of extensive countries; from these and

\*Hercules is represented, when very young, engaged in the most courageous and dangerous enterprises—such as encountering lions, squeezing them to death against his own breast, or tearing their jaws asunder; sometimes, when an infant, grasping serpents with a little smile upon his cheek, as if he was pleased with their fine colors and their motions, and killing them by his strong gripe with so much ease, that he scarce deigns to look upon them.

similar considerations, even wise politicians have defended the propriety of the establishment; but let their motives be ever so pure the *ambitious* and the *aspiring* have views extensive and ruinous; they have felt the charms and experienced the utility of this engine, and are not wanting in their exertions to support its existence.

Our fortunate alliances in Europe have secured us from any danger of invasion from thence; this security is derived from considerations of the best policy and true interest of the allied powers.

The new and *glorious treaty* concluded, since the last anniversary, with the *states of Holland*, whose *manners, laws, religion, and bloody contest for freedom*, so nearly resemble our own,\* affords a happy

\*If there was ever among nations a natural alliance, one may be formed between the two republics. The first planters of the four northern states found in this country an asylum from persecution, and resided here from the year one thousand six hundred and eight, to the year one thousand six hundred and twenty, twelve years preceding their migration. They ever entertained and have transmitted to posterity, a grateful remembrance of that protection and hospitality, and especially of that religious liberty they found here, having sought it in vain in England.

"The first inhabitants of two other states, New-York and New-Jersey, were immediate emigrants from this nation, and have transmitted their religion, language, customs, manners and character: and America in general, until her connexions with the house of Bourbon, has ever considered this nation as her first friend in Europe, whose history, and the great character it exhibits, in the various arts of peace, as well as achievements of war by sea and land, have been particularly studied, admired, and imitated in every state.

"A similitude of religion, although it is not deemed so essential in this as in former ages, to the alliance of nations, is still as it ever will be thought, a desirable circumstance. Now it may be said with truth, that there are no two nations, whose worship, doctrine and discipline, are more alike than those of the two republics. In this particular, therefore, as far as it is of weight, an alliance would be perfectly natural.

"A similarity in the forms of government, is usually considered as another circumstance which renders alliances natural; and although the constitutions of the two republics are not perfectly alike, there is yet analogy enough between them to make a connexion easy in this respect.

"The originals of the two republics are so much alike, that the history of one seems but a transcript from that of the other: so that every Dutchman, instructed in the subject, must pronounce the American revolution just and necessary, or pass a censure upon the greatest actions of his immortal ancestors: actions which have been approved and applauded by mankind, and justified by the decision of heaven.

"If therefore an analogy of religion, government, original manners, and the most extensive and lasting commercial interests, can form a ground and an invitation to political connexions, the subscriber

pressage of lasting security. We may add, the situation of our country, with respect to other dominions, is so secured by nature, that no one can feign pretensions sufficiently plausible to convince the people of America, of the propriety of supporting a standing army in a time of peace; whilst memory retains the exploits of our *brave citizens* in the field, who have joined the standard of freedom, and successfully defended her injured altars and her devoted rites. The community will be assured that, upon the basis of a *well-regulated militia*, an army may be raised upon all future occasions sufficient to oppose the most formidable invaders.

Here, were it pertinent, I would express a confidence, that when the army shall be disbanded, justice, with *impartial scale*, will distribute due rewards to those who have jeopardized their lives in the high places of the field.

Every American is conscious of the effects produced by the knowledge of the people in the use of arms, and from that experience need not be exhorted to an attention to their *militia*.

When we consider our own prosperous condition, and view the state of that nation, of which we were once a part, we even weep over our enemy, when we reflect that she was once great; that her navies rode formidable upon the ocean; that her commerce was extended to every harbor of the globe; that her name was revered wherever it was known; that the wealth of nations was deposited in her island; and that America was her friend, but by means of her standing armies, an immense continent is separated from her kingdom,\* and that once-mighty empire, ready to fall an untimely victim, to her own mad policy.

Near eight full years have now rolled away, since America has been cast off from the bosom and

flatters himself, that in all these particulars, the union is so obviously natural, that there has seldom been a more distinct designation of Providence to any two distant nations to unite themselves together."

Extracts from the memorial to their high mightinesses, the states general of the United Provinces of the Low-Countries, by that great statesman and patriot, his excellency JOHN ADAMS, esq. minister plenipotentiary at the Hague, dated Leyden, April 19, 1781.

\*A doubt may be entertained of the truth of this assertion; but we can hardly believe that it would have entered into the head of a minister or parliament, to collect a militia in Great Britain to enforce their acts in America; so that in our view, had the army been disbanded at the end of the last war, America and Britain at this moment would have been parts of the same kingdom.

embraces of her pretended parent, and has set up her own name among the empires. The assertions of so young a country, were at first beheld with dubious expectation; and the world were ready to stamp the name of rashness or enterprize according to the event.

But a manly and fortunate beginning, soon ensured the most generous assistance. The renowned and the ancient *Gauls* came early to the combat—wise in council—mighty in battle! then with new fury raged the storm of war! the seas were crimsoned with the richest blood of nations! America's chosen legions waded to freedom through rivers, died with the mingled blood of her enemies and her citizens; through fields of carnage, and the gates of death!

At length *independence* is ours—the balcony day appears! lo from the east I see the harbinger, and from the train, 'tis peace herself; and as attendants, all the gentle arts of life: commerce displays her snow-white navies fraught with the wealth of kingdoms; plenty from her copious horn, pours forth her richest gifts. Heaven commands! the east and the west give up, and the north keeps not back! all nations meet! and beat their swords into ploughshares and their spears into pruning-hooks, and resolve to learn war no more.—Henceforth shall the American wilderness blossom as the rose, and every man shall sit under his vine and under his fig-tree, and none shall make him afraid.

#### AN ORATION,

DELIVERED AT THE KING'S-CHAPEL IN BOSTON, APRIL 8, 1776, ON THE RE-INTERMENT OF THE REMAINS OF THE LATE MOST WORSHIPFUL GRAND-MASTER JOSEPH WARREN, ESQUIRE, PRESIDENT OF THE LATE CONGRESS OF THIS COLONY, AND MAJOR GENERAL OF THE MASSACHUSETTS FORCES, WHO WAS SLAIN IN THE BATTLE OF BUNKER'S-HILL, JUNE 17, 1775,

BY PEREZ MORTON, M. M.

*Illustrious relics!*—What tidings from the grave? why hast thou left the peaceful mansions of the tomb, to visit again this troubled earth! art thou the welcome messenger of peace! art thou risen again to exhibit thy glorious wounds, and through them proclaim salvation to thy country! or art thou come to demand that last debt of humanity, to which your rank and merit have so justly entitled you—but which has been so long ungenerously withheld! and art thou angry at the barbarous usage? be appeased, sweet ghost! for though thy body has long laid undistinguished among the vulgar dead, scarce privileged with earth enough.

to bile it from the birds of prey; though not a friendly sigh was uttered o'er thy grave; and though the execration of an impious foe, were all thy funeral knells; yet, matchless patriot! thy memory has been embalmed in the affections of thy grateful countrymen; who, in their breasts, have raised eternal monuments to thy bravery!

But let us leave the beloved remains, and contemplate for a moment, those virtues of the man, the exercise of which have so deservedly endeared him to the honest among the great, and the good among the humble.

In the *private* walks of life, he was a pattern for mankind.—The tears of her, to whom the world is indebted for so much virtue, are silent heralds of his *filial piety*; while his tender offspring, in lying out their father's care, proclaim his *parental affection*: and an ADAMS can witness with how much zeal he loved, where he had formed the sacred connexion of a *friend*:—their kindred souls were so closely twined, that both felt one joy, both one affliction. In conversation he had the happy talent of addressing his subject both to the understanding and the passions; from the one he forced conviction, from the other he stole assent.

He was blessed with a complacency of disposition and equanimity of temper, which peculiarly endeared him to his friends, and which, added to the deportment of the gentleman, commanded reverence and esteem even from his enemies.

Such was the tender sensibility of his soul, that he need but see distress to feel it, and contribute to its relief. He was deaf to the calls of interest even in the course of his profession: and wherever he beheld an indigent object, which claimed his healing skill, he administered it, without even the hope of any other reward than that which resulted from the reflection of having so far promoted the happiness of his fellow-men.

In the *social* departments of life, practising upon the strength of that doctrine, he used so earnestly to inculcate himself, that nothing so much conduced to enlighten mankind, and advance the great end of society at large, as the frequent interchange of sentiments, in friendly meeting; we find him constantly engaged in this eligible labor; but on none did he place so high a value, as on that *most honorable* of all detached societies, THE FREE AND ACCEPTED MASON: into this fraternity he was early initiated; and after having given repeated proofs of a rapid proficiency in the arts, and after evidencing by his life, the professions of his lips—finally, as the

reward of his merit, he was commissioned *the most worshipful GRAND-MASTER* of all the ancient Masons, through *North America*.—And you, brethren, are living testimonies, with how much honor to himself, and benefit to the craft universal, he discharged the duties of his elevated trust; with what sweetened accents he courted your attention, while, with *wisdom, strength, and beauty*, he instructed his lodges in the secret arts of *Freemasonry*; what perfect order and decorum he preserved in the government of them; and, in all his conduct, what a bright example he set us, *to live within compass, and act upon the square*.

With what pleasure did he silence the wants of poor and penniless brethren; yea, the necessitous every where, though ignorant of the mysteries of the craft, from his benefactions, felt the happy effects of that institution which is founded on *faith, hope and charity*. And the world may cease to wonder, that he so readily offered up his life, on the altar of his country, when they are told that the main pillar of *masonry* is the LOVE OF MANKIND.

The fates, as though they would reveal, in the person of our GRAND-MASTER, those mysteries which have so long lain hid from the world, have suffered him, like the great master-builder in the temple of old, to fall by the hands of Ruffians, and be again raised in honor and authority: we searched in the field for the murdered son of a widow, and we found him, *by the turf and the twig*, buried on the brow of a hill, though not in a decent grave.—And though we must again commit his body to the tomb, yet our breasts shall be the burying spot of his *masonic virtues*, and there—

"An adamantine monument we'll rear,  
"With this inscription," *Masonry* "lies here."

In *public* life, the sole object of his ambition was, to acquire the conscience of virtuous enterprizes; *amor patriæ* was the spring of his actions, and *mens conscia recti* was his guide.—And on this security he was, on every occasion, ready to sacrifice his health, his interest, and his ease, to the sacred calls of his country. When the liberties of America were attacked, he appeared an early champion in the contest: and though his knowledge and abilities would have insured riches and preferment (could he have stooped to prostitution) yet he nobly withstood the fascinating charm, tossed fortune back her plume, and pursued the inflexible purpose of his soul, in guiltless competence.

He sought not the airy honors of a name, else many of those publications which, in the early period of our controversy, served to open the minds of the people, had not appeared anonymous. In

every time of eminent danger, his fellow citizens flew to him for advice; like the orator of Athens, he gave it and dispelled their fears:—twice did they call him to the rostrum to commemorate the massacre of their brethren; and from that instance, in persuasive language he taught them, not only the dangerous tendency, but the actual mischief, of stationing a military force in a free city, in a time of peace.—They learnt the profitable lesson, and penned it among their grievances.

But his abilities were too great, his deliberations too much wanted, to be confined to the limits of a single city, and at a time when our liberties were most critically in danger from the secret machinations and open assaults of our enemies, this town, to their lasting honor, elected him to take a part in the councils of the state.—And with what faithfulness he discharged the important delegation, the neglect of his private concerns, and his unwearied attendance on that trustment, will sufficiently testify: and the records of that virtuous assembly will remain the testimonials of his accomplishments as a statesman, and his integrity and services as a patriot, through all posterity.

The congress of our colony could not observe so much virtue and greatness without honoring it with the highest mark of their favor; and by the free suffrages of that uncorrupted body of freemen, he was soon called to preside in the senate—where, by his daily counsels and exertions, he was constantly promoting the great cause of *general liberty*.

But when he found the tools of oppression were obstinately bent on violence; when he found the vengeance of the British court must be glutted with blood; he determined, that what he could not effect by his eloquence or his pen, he would bring to purpose by his sword. And on the memorable 19th of April, he appeared in the field under the united characters of the general, the soldier, and the physician. Here he was seen animating his countrymen to battle, and fighting by their side, and there he was found administering healing comforts to the wounded. And when he had repelled the unprovoked assaults of the enemy, and had driven them back into their strong-holds, like the virtuous chief of Rome, he returned to the senate, and presided again at the councils of the fathers.

When the vanquished foe had rallied their disordered army, and by the acquisition of fresh strength, again presumed to fight against freemen, our patriot, ever anxious to be where he could do the most good, again put off the senator, and, in

contempt of danger, flew to the field of battle, where, after a stern, and almost victorious resistance, ah! too soon for his country! he sealed his principles with his blood—then—

"Freedom wept, that merit could not save,"  
But Warren's manes "must enrich the grave."

Enriched indeed! and the heights of *Charlestown* shall be more memorable for thy fall, than the *Plains of Abraham* are for that of the hero of *Britain*. For while he died contending for a single country, *you* fell in the cause of virtue and mankind.

The greatness of his soul shone even in the moment of death; for, if fame speaks true, in his last agonies he met the insults of his barbarous foe with his wonted magnanimity, and with the true spirit of a soldier, frowned at their impotence.

In fine, to complete the great character—like HARRINGTON he wrote—like CICERO he spoke—like HAMPDEN he lived—and like WOLFE he died.

And can we, my countrymen, with indifference behold so much valor laid prostrate by the hand of *British tyranny*? and can we ever grasp that hand in affection again? are we not yet convinced "that he who hunts the woods for prey, the naked and untutored indian, is less a savage than the *king of Britain*?" have we not proofs, wrote in blood, that the corrupted nation, from whence we sprang, (though there may be some traces of their ancient virtue left) are stubbornly fixed on our destruction! and shall we still court a *dependence* on such a state? still contend for a connexion with those who have forfeited not only every kindred claim, but even their title to humanity! forbid it the spirit of the brave MONTGOMERY! forbid it the spirit of immortal WARREN! forbid it the spirits of all our valiant countrymen! who fought, bled, and died for far different purposes, and who would have thought the purchase *dear indeed*! to have paid their lives for the paltry boon of displacing one set of villains in power, to make way for another. No. They contended for the establishment of peace, liberty, and safety to their country: and we are unworthy to be called their countrymen, if we stop at any acquisition short of this.

Now is the happy season, to seize again those rights, which, as men, we are by nature entitled to, and which, by contract, we never have and never could have surrendered:—but which have been repeatedly and violently attacked by the *king, lords and commons of Britain*. Ought we not then to disclaim forever, the forfeited affinity; and by a timely amputation of that rotten limb of the em-

pire, prevent the mortification of the whole? ought we not to listen to the voice of our slaughtered brethren, who are now proclaiming aloud to their country—

Go tell the king, and tell him from our spirits,  
That you and Britons can be friends no more;  
Tell him, to you all tyrants are the same;  
Or if in bonds, the never conquer'd soul  
Can feel a pang, more keen than slavery's self,  
'Tis where the chains that crush you into dust,  
Are forg'd by hands, from which you hop'd for freedom.

Yes, we ought, and will—we will assert the blood of our murdered hero against thy hostile oppressions, O shameless Britain! and when "thy cloud-capped towers, thy gorgeous palaces" shall, by the teeth of pride and folly, be levelled with the dust—and when thy glory shall have faded like the western sunbeam—the name and the virtues of WARREN shall remain immortal.

### Judge Jay's Charge.

THE CHARGE DELIVERED BY JOHN JAY, ESQ. CHIEF JUSTICE OF THE STATE OF NEW YORK, TO THE GRAND JURY OF THE SUPREME COURT, HELD AT KINGSTON, IN ULSTER COUNTY, SEPT. 9, 1777.

*Advertisement. The following charge was given at a time when the assembly and senate were convening, and the whole system of government, established by the constitution, about being put in motion—The grand inquest was composed of the most respectable characters in the county, and no less than twenty-two of them attended and were sworn.*

GENTLEMEN—It affords me very sensible pleasure to congratulate you on the dawn of that free, mild and equal government, which now begins to rise and break from amidst those clouds of anarchy, confusion and licentiousness, which the arbitrary and violent domination of the king of Great Britain had spread, in greater or less degrees, throughout this and the other American states. And it gives me particular satisfaction to remark, that the first fruits of our excellent constitution appear in a part of this state, whose inhabitants have distinguished themselves, by having unanimously endeavored to deserve them.

This is one of those signal instances, in which Divine Providence has made the tyranny of princes instrumental in breaking the chains of their subjects; and rendered the most inhuman designs, productive of the best consequences, to those against whom they were intended.

The infatuated sovereign of Britain, forgetful that kings were the servants, not the proprietors, and ought to be the fathers, not the incendiaries of their people, hath, by destroying our former constitutions, enabled us to erect more eligible systems of government on their ruins; and, by unwarrantable attempts, to bind us, in all cases whatever, has reduced us to the happy necessity of being free from his control in any.

Whoever compares our present with our former constitution, will find abundant reason to rejoice in the exchange, and readily admit, that all the calamities, incident to this war, will be amply compensated by the many blessings flowing from this glorious revolution. A revolution which, in the whole course of its rise and progress, is distinguished by so many marks of the Divine favor and interposition, that no doubt can remain of its being finally accomplished.

It was begun, and has been supported, in a manner so singular, and I may say, miraculous, that when future ages shall read its history, they will be tempted to consider great part of it as fabulous. What, among other things, can appear more unworthy of credit, than that in an enlightened age, in a civilized and Christian country, in a nation so celebrated for humanity, as well as love of liberty and justice, as the *English* once justly were, a prince should arise, who, by the influence of corruption alone, should be able to seduce them into a combination, to reduce three millions of his most loyal and affectionate subjects, to absolute slavery, under pretence of a right, appertaining to God alone, of binding them in all cases whatever, not even excepting cases of conscience and religion? What can appear more improbable, although true, than that this prince, and this people, should obstinately steel their hearts, and shut their ears, against the most humble petitions and affectionate remonstrances; and unjustly determine, by violence and force, to execute designs which were reprobated by every principle of humanity, equity, gratitude and policy—designs which would have been execrable, if intended against savages and enemies, and yet formed against men descended from the same common ancestors with themselves; men, who had liberally contributed to their support, and cheerfully fought their battles, even in remote and baleful climates? Will it not appear extraordinary, that thirteen colonies, the object of their wicked designs, divided by variety of governments and manners, should immediately become one people, and though without funds, without magazines, without disciplined troops, in the face of their enemies, unanimously determine to be free; and, undaunted by the power of Britain, refer their cause to the justice of the Almighty, and resolve to repel force by force? Thereby presenting to the world an illustrious example of magnanimity and virtue scarcely to be paralleled. Will it not be matter of doubt and wonder, that, notwithstanding these difficulties, they should raise armies, establish funds, carry on commerce, grow rich by the

spoils of their enemies, and bid defiance to the armies of Britain, the mercenaries of Germany and the savages of the wilderness?—But, however incredible these things may in future appear, we know them to be true, and we should always remember, that the many remarkable and unexpected means and events, by which our wants have been supplied, and our enemies repelled or restrained, are such strong and striking proofs of the interposition of Heaven, that our having been hitherto delivered from the threatened bondage of Britain, ought, like the emancipation of the Jews from Egyptian servitude, to be forever ascribed to its *true cause*, and instead of swelling our breasts with arrogant ideas of our prowess and importance, kindle in them a flame of gratitude and piety, which may consume all remains of vice and irreligion.

Blessed be God! the time will now never arrive when the prince of a country, in another quarter of the globe, will command your obedience and hold you in vassalage. His consent has ceased to be necessary to enable you to enact laws essential to your welfare; nor will you, in future, be subject to the imperious sway of rulers, instructed to sacrifice your happiness, whenever it might be inconsistent with the ambitious views of their royal master.

The Americans are the first people whom heaven has favored with an opportunity of deliberating upon, and choosing the forms of government under which they should live;—all other constitutions have derived their existence from violence or accidental circumstances, and are therefore probably more distant from their perfection, which, though beyond our reach, may nevertheless be approached under the guidance of reason and experience.

How far the people of this state have improved this opportunity, we are at no loss to determine.—Their constitution has given general satisfaction at home, and been not only approved, but applauded abroad. It would be a pleasing task to take a minute view of it, to investigate its principles, and remark the connection and use of its several parts—but that would be a work of too great length to be proper on this occasion. I must therefore confine myself to general observations; and among those which naturally arise from a consideration of this subject, none are more obvious, than that the highest respect has been paid to those great and equal rights of human nature, which should forever remain inviolate in every society—and that such care has been taken in the disposition of the

legislative, executive and judicial powers of government, as to promise permanence to the constitution, and give energy and impartiality to the distribution of justice. So that, while you possess wisdom to discern and virtue to appoint men of worth and abilities to fill the offices of the state, you will be happy at home and respectable abroad—Your life, your liberties, your property, will be at the disposal only of your Creator and yourselves. You will know no power but such as you will create; no authority unless derived from your grant; no laws, but such as acquire all their obligation from your consent.

Adequate security is also given to the rights of conscience and private judgment. They are, by nature, subject to no control but that of the Deity, and in that free situation they are now left. Every man is permitted to consider, to adore and to worship his Creator in the manner most agreeable to his conscience. No opinions are dictated; no rules of faith prescribed; no preference given to one sect to the prejudice of others.—The constitution, however, has wisely declared, that the “liberty of conscience, thereby granted, shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this state.” In a word, the convention, by whom that constitution was formed, were of opinion, that the gospel of *CHRIST*, like the ark of God, would not fall, though unsupported by the arm of flesh; and happy would it be for mankind, if that opinion prevailed more generally.

But let it be remembered, that whatever marks of wisdom, experience and patriotism there may be in your constitution, yet, like the beautiful symmetry, the just proportions, and elegant forms of our first parent, before their maker breathed into them the breath of life, it is yet to be animated, and till then, may indeed excite admiration, but will be of no use—From the people it must receive its spirit, and by them be quickened. Let virtue, honor, the love of liberty and of science be, and remain, the soul of this constitution, and it will become the source of great and extensive happiness to this and future generations. Vice, ignorance, and want of vigilance, will be the only enemies able to destroy it. Against these provide, and, of these, be forever jealous. Every member of the state, ought diligently to read and study the constitution of his country, and teach the rising generation to be free. By knowing their rights, they will sooner perceive when they are violated, and be the better prepared to defend and assert them.



This, gentlemen, is the first court held under the authority of our constitution, and I hope its proceedings will be such, as to merit the approbation of the friends, and avoid giving cause of censure to the enemies of the present establishment.

It is proper to observe, that no person in this state, however exalted or low his rank, however dignified or humble his station, but has a right to the protection of, and is amenable to the laws of the land; and that if those laws be wisely made and duly executed, innocence will be defended, oppression punished, and vice restrained. Hence it becomes the common duty, and indeed the common interest, of every subject of the state, and particularly of those concerned in the distribution of justice, to unite in repressing the licentious, in supporting the laws, and thereby diffusing the blessings of peace, security, order and good government, through all degrees and ranks of men among us.

I presume it will be unnecessary to remind you, that neither fear, favor, resentment, or other personal and partial considerations, should influence your conduct. Calm, deliberate reason, candor, moderation, a dispassionate, and yet a determined resolution to do your duty, will, I am persuaded, be the principles by which you will be directed.

You will be pleased to observe, that all offences committed in this county against the peace of the people of this state, from treason to trespass, are proper objects of your attention and enquiry.

You will pay particular attention to the practice of counterfeiting the bills of credit, emitted by the general congress, or other of the AMERICAN STATES, and of knowingly passing such counterfeits. Practices no less criminal in themselves, than injurious to the interest of that great cause, on the success of which the happiness of AMERICA so essentially depends.

### Dr. Ramsay's Oration.

AN ORATION ON THE ADVANTAGES OF AMERICAN INDEPENDENCE, SPOKEN BEFORE A PUBLIC ASSEMBLY OF THE INHABITANTS OF CHARLESTOWN, IN SOUTH-CAROLINA, ON THE SECOND ANNIVERSARY OF THAT GLORIOUS ERA,

BY DAVID RAMSAY, M. B.

*Magnus ab integro seculorum nascitur ordo.  
Jam redit et Virgo, redeunt Saturnia regna:  
Jam nova progenies, cœlo dimittitur alto.*

*Huic ego nec metas rerum, nec tempora pono:  
Imperium sine fine dedi.* Virg.

To the honorable CHRISTOPHER GADSDEN, esq.  
Lieutenant governor of the state of South-Carolina;

*who, fearless of danger, undaunted by opposition, uninfluenced by the hope of reward, in the worst of times, has stood among the foremost, an early, active, zealous, disinterested champion, in the cause of American liberty and independence—the following oration, originally drawn up at his request, is respectfully inscribed by his humble servant the author.*

*Friends and fellow-citizens*—Impressed with the deepest sense of my insufficiency, I rise to address you with peculiar diffidence. When I consider the knowledge and eloquence necessary to display the glorious prospects which independence opens to this continent, I am stung with a degree of self-reproach for undertaking the important task. But your known attachment to the cause of America encourages me to hope, that you will receive with indulgence, a well intended exertion to promote her welfare; and emboldens me to cast myself on that candor, which looks with kindness on the feeblest efforts of an honest mind.

We are now celebrating the anniversary of our emancipation from British tyranny; an event that will constitute an illustrious era in the history of the world, and which promises an extension of all those blessings to our country, for which we would choose to live, or dare to die.

Our present form of government is every way preferable to the royal one we have lately renounced. It is much more favorable to purity of morals, and better calculated to promote all our important interests. Honesty, plain-dealing, and simple manners, were never made the patterns of courtly behavior. Artificial manners always prevail in kingly governments; and royal courts are reservoirs, from whence insincerity, hypocrisy, dissimulation, pride, luxury, and extravagance, deluge and overwhelm the body of the people. On the other hand, republics are favorable to truth, sincerity, frugality, industry, and simplicity of manners. Equality, the life and soul of commonwealth, cuts off all pretensions to preferment, but those which arise from extraordinary merit: Whereas, in royal governments, he that can best please his superiors, by the low arts of fawning and adulation, is most likely to obtain favor.

It was the interest of Great Britain to encourage our dissipation and extravagance, for the two-fold purpose of increasing the sale of her manufactures, and of perpetuating our subordination. In vain we sought to check the growth of luxury, by sumptuary laws; every wholesome restraint of this kind was sure to meet with the royal negative. While the whole

force of example was employed to induce us to copy the dissipated manners of the country from which we sprung. If, therefore, we had continued dependent, our frugality, industry, and simplicity of manners, would have been lost in an imitation of British extravagance, idleness, and false refinements.

How much more happy is our present situation, when necessity, co-operating with the love of our country, compels us to adopt both public and private economy? Many are now industriously clothing themselves and their families in sober home-spun, who, had we remained dependent, would have been spending their time in idleness, and strutting in the costly robes of British gaiety.

The arts and sciences, which languished under the low prospects of subjection, will now raise their drooping heads, and spread far and wide, till they have reached the remotest parts of this untutored continent. It is the happiness of our present constitution, that all offices lie open to men of merit, of whatever rank or condition; and that even the reins of state may be held by the son of the poorest man, if possessed of abilities equal to the important station. We are no more to look up for the blessings of government to hungry courtiers, or the needy dependents of British nobility; but must educate our own children for these exalted purposes. When subjects, we had scarce any other share in government, but to obey the arbitrary mandates of a British parliament: But honor, with her dazzling pomp, interest, with her golden lure, and patriotism, with her heart-felt satisfaction, jointly call upon us now to qualify ourselves and posterity for the bench, the army, the navy, the learned professions, and all the departments of civil government. The independence of our country holds forth such generous encouragement to youth, as cannot fail of making many of them despise the syren calls of luxury and mirth, and pursue heaven-born wisdom with unwearied application. A few years will now produce a much greater number of men of learning and abilities, than we could have expected for ages in our boyish state of minority, guided by the leading strings of a parent country.

How trifling the objects of deliberation that came before our former legislative assemblies, compared with the great and important matters, on which they must now decide! They might then, *with the leave of the king, his governors and councils, make laws about poking logs, branding cattle, or making rice*: but they are now called up

on to determine on peace and war, treaties and negotiations with foreign states, and other subjects interesting to the peace, liberty, sovereignty, and independence of a wide extended empire. No wonder that so little attention has been paid to learning; for ignorance was better than knowledge, while our abject and humiliating condition so effectually tended to crush the exertions of the human mind, and to extinguish a generous ardor for literary pre-eminence.

The times in which we live, and the governments we have lately adopted, all conspire to fan the sparks of genius in every breast, and kindle them into flame. When, like children, we were under the guardianship of a foreign power, our limited attention was naturally engrossed by agriculture, or directed to the low pursuit of wealth. In this state, the powers of the soul, benumbed with ease and indolence, sunk us into sloth and effeminacy. Hardships, dangers, and proper opportunities give scope to active virtues, and rouse the mind to such vigorous exertions, as command the admiration of an applauding world. Rome, when she filled the earth with the terror of her arms, sometimes called her generals from the plough: In like manner, the great want of proper persons to fill high stations, has drawn from obscurity many illustrious characters, which will dazzle the world with the splendor of their names. The necessities of our country require the utmost exertions of all our powers; from which vigorous, united efforts, much more improvement of the human mind is to be expected, than if we had remained in a torpid state of dependence.

Eloquence is the child of a free state. In this form of government, as public measures are determined by a majority of votes, arguments enforced by the arts of persuasion, must evermore be crowned with success: The rising patriot, therefore, who wishes the happiness of his country, will cultivate the art of public speaking. In royal governments, where the will of one or a few has the direction of public measures, the orator may harangue, but most probably will reap prosecution and imprisonment, as the fruit of his labor: Whereas, in our present happy system, the poorest school boy may prosecute his studies with increasing ardor, from the prospect, that in a few years he may, by his improved abilities, direct the determinations of public bodies, on subjects of the most stupendous consequence.

Thus might I go through the whole circle of the arts and sciences, and shew that while we remain-

boasted act of navigation was not intended for our advantage, nor for the advantage of the whole empire; but was a glaring monument of the all-grasping nature of unlimited power. To enumerate all the ungenerous restrictions imposed by the British government on American commerce, would be an outrage on patience. Time only will unfold the whole of this mystery of iniquity. A few years experience will shew such an amazing difference between the fettered trade of the British colonies, and the extensive commerce of the free, independent states of America, as will cause us to stand amazed, that we so long and so patiently submitted to so many and such cruel restrictions. In one word, so long as we remained dependent, the commerce of this great continent would have been sacrificed to the interest of a selfish European island.

Carolina had particular reason to wish for the free trade of independence.\* The whole island of Great Britain did not annually consume more than 5000 barrels of her staple commodity, rice, and yet it was an enumerated article. The charge on unloading, reloading, and shifting every cask, owing to this enumeration, was immense, though it served no other purpose, but to procure jobs for British coopers and wharfingers. So little regard was had to our interest, while dependent, that this enumeration was obtained by the instigation of a captain Cole: Several vessels coming from England before him, and purchasing rice for Portugal, prevented the aforesaid captain of a loading; he returned, and in resentment said, carrying rice to Portugal was a prejudice to the trade of England: And on this single instance, so ill founded and supported, rice became an enumerated article.† How could our trade flourish, or our produce bring its full value, while restricted by a legislature so regardless of our interest, that a petty captain, to secure himself a cargo, could prevent our staple from being sent directly to a foreign market?

Union with Great Britain confined us to the consumption of her manufactures, and restrained

\*The tobacco colonies were also great losers by the British monopoly of trade. The duties on their staple, amounted to more than half the first cost. Tobacco, exported from Britain, sold in European markets for more than double the sum the American planter received for it.—If it should become a custom in the United States, to celebrate the anniversary of independence with an annual oration, it is hoped that some citizen of Virginia or Maryland, will place the selfish restrictions on the exportation of this valuable commodity, in a proper light.

†See on Trade, page 21.

us from supplying our wants by the improvement of those articles which the bounty of Heaven had bestowed on our country. So numerous were the inhabitants of some provinces, that they could not all find employment in cultivating the earth; and yet a single hat, manufactured in one colony, and exported for sale to another, forfeited both vessel and cargo. The same penalties were inflicted for transporting wool from one to another. Acts of parliament have been made to prohibit the erection of slitting mills in America. Thus did British tyranny exert her power, to make us a needy and dependent people, obliged to go to her market, and to buy at her price; and all this at a time when, by her exclusive trade, she fixed her own prices on our commodities.

How widely different is our present situation? The glorious fourth of July, MDCCCLXXVI, repealed all these cruel restrictions, and holds forth generous prices, and public premiums, for our encouragement in the erection of all kinds of manufactures.

We are the first people in the world who have had it in their power to choose their own form of government. Constitutions were forced on all other nations, by the will of their conquerors; or, they were formed by accident, caprice, or the overbearing influence of prevailing parties or particular persons: But, happily for us, the bands of British government were dissolved at a time when no rank above that of freemen existed among us, and when we were in a capacity to choose for ourselves among the various forms of government, and to adopt that which best suited our country and people. Our deliberations, on this occasion, were not directed by the over-grown authority of a conquering general, or the ambition of an aspiring nobility, but by the pole-star of public good, inducing us to prefer those forms that would most effectually secure the greatest portion of political happiness to the greatest number of people. We had the example of all ages for our instruction, and many among us were well acquainted with the causes of prosperity and misery in other governments.

In times of public tranquility, the mighty have been too apt to encroach on the rights of the many: But it is the great happiness of America, that her independent constitutions were agreed upon by common consent, at a time when her leading men needed the utmost support of the multitude, and therefore could have no other object in view, but the formation of such constitutions as would best suit the people at large, and unite them most heartily in repelling common dangers.

As the strength of a people consists in their numbers, our separate states, sensible of their weakness, were actually excited by self-interest to form such free governments, as would encourage the greatest influx of inhabitants. In this manner, an emulation has virtually taken place in all the thirteen states, each contending with the others, who should form the freest constitution. Thus independence has been the fruitful parent of governments formed on equal principles, more favorable to the liberty and happiness of the governed, than any that have yet been recorded in the annals of history.

While we were dependent on Britain, our freedom was out of the question; for what is a free state, but one that is governed by its own will? What shadow of liberty then could we possess, when the single NO of a king, 3000 miles distant, was sufficient to repeal any of our laws, however useful and salutary; and when we were to be bound in all cases whatsoever by men, in whose election we had no vote, who had an interest opposed to ours, and over whom we had no control? The wit of man could not possibly devise any mode that would unite the freedom of America with Britain's claim of unlimited supremacy. We were therefore reduced to the alternative of liberty and independence, or slavery and union. We wisely chose to cut the Gordian knot, which tied old Britain to the new, and to assume our independent station among the empires of the world. Britain, had she honestly intended it, was incapable of governing us for the great purposes of government. Our great distance, and other local circumstances, made it impossible for her to be sufficiently acquainted with our situation and wants. But, admitting it was in her power, we had no reason to expect that she would hold the reins of government for any other end but her own advantage. Human nature is too selfish, too ambitious, for us to expect, that one country will govern another, for any but interested purposes. To obtain the salutary ends of government, we must blend the interests of the people and their rulers; or else, the former will infallibly be sacrificed to the latter. Hence, the absurdity of our expecting security, liberty and safety, while we were subjects of a state a thousand leagues distant.

Connection with Britain involved us in all her quarrels; and such is the fluctuating state of her politics, that we could not long expect a political calm. In vain did the Atlantic ocean interpose; for, by our unnatural union, we were necessarily

dragged into every war, which her pride or ambition might occasion. Besides, as she considered the colonies as her property, what was to hinder her from ceding any or all of them to the different European states. Thus, while we had no independent government of our own, we might have been the sport of various contending powers, and tossed about, like a foot-ball, from one to the other.

Our independence will naturally tend to fill our country with inhabitants. Where life, liberty and property, are well secured, and where land is easily and cheaply obtained, the natural increase of people will much exceed all European calculations. Add to this, the inhabitants of the old world, becoming acquainted with our excellent forms of government, will emigrate by thousands. In their native lands, the hard-earned fruits of uninterrupted labor are scarcely equal to a scanty supply of their natural wants, and this pittance is held on a very precarious tenure: while our soil may be cheaply purchased, and will abundantly repay the toil of the husbandman, whose property no rapacious landlord dare invade. Happy America whose extent of territory, westward, is sufficient to accommodate with land thousands and millions of the virtuous peasants, who now groan beneath tyranny and oppression in three quarters of the globe. Who would remain in Europe, a dependent on the will of an imperious landlord, when a few years industry can make him an independent American freeholder?

Such will be the fruits of our glorious revolution, that in a little time gay fields, adorned with the yellow robes of ripening harvest, will smile in the remotest depth of our western frontiers, where impassable forests now frown over the uncultivated earth. The face of our interior country will be changed from a barren wilderness into the hospitable abodes of peace and plenty. Cities too will rise majestic to the view, on those very spots which are now howled over by savage beasts and more savage men.

The population of this country has been heretofore very rapid; but it is worthy of observation, that this has varied, more or less, in proportion to the degrees of liberty that were granted to the different provinces, by their respective charters. Pennsylvania and N w England, though inferior in soil, being blest originally with the most free forms of government, have outstripped others in the relative increase of their inhabitants. Hence I infer, that as we are all now completely free and independent, we shall populate much faster than we ever have done, or ever would, while we were

controlled by the jealous policy of an insignificant island.

We possess thousands and millions of acres, which we may sell out to new settlers, on terms very easy to them, and yet sufficient to defray the whole expense of the present war. When the quit-rents, formerly paid to the king, shall be appropriated to the benefit of the independent states, they will fill our treasuries to so great a degree, that foreign nations, knowing that we abound in the sinews of war, will be afraid to provoke us. In a few years, when our finances are properly arranged, the stoppage of those sums which were formerly drained from us, to support the pride and extravagance of the British king, will be an ample provision, without taxes, for defraying the expense of our independent governments.

It is difficult to compute the number of advantages arising from our present glorious struggle; harder still, perhaps impossible, precisely to ascertain their extent. It has attracted the attention of all Europe to the nature of civil liberty, and the rights of the people. Our constitutions, pregnant with the seeds of liberty and happiness, have been translated into a variety of languages, and spread far and wide. Who can tell what great events, now concealed in the womb of time, may be brought into existence by the nations of the old world emulating our successful efforts in the cause of liberty? The thrones of tyranny and despotism will totter, when their subjects shall learn and know, by our example, that the happiness of the people is the end and object of all government. The wondering world has beheld the smiles of Heaven on the numerous sons of America, resolving to die or be free: Perhaps this noble example, like a wide spreading conflagration, may catch from breast to breast, and extend from nation to nation, till tyranny and oppression are utterly extirpated from the face of the earth.\*

\* Britain will eventually lose less by our independence, than is commonly supposed. The king and ministers may be cured of their lust of domination, and will be deprived of influence and the means of corruption. While she had a monopoly of our trade, it encouraged idleness and extravagance in her manufacturers; because they were sure of a market for their goods, though dear and ill made: But, as independence will bestow our commerce on those who most deserve it, this will be the means of introducing frugality and industry among her laboring poor. Our population will be so much the more rapid for our free governments, that, in my humble opinion, that part of our trade which will fall to the share of Great Britain, if she has the wisdom to conclude a speedy peace, will be more to her advantage than a monopoly of the whole of it, if we had remained subjects.

The tyrants and landlords of the old world, who hold a great part of their fellow men in bondage, because of their dependence for land, will be obliged to relax of their arbitrary treatment, when they find that America is an asylum for freemen from all quarters of the globe. They will be cautious of adding to the oppressions of their poor subjects and tenants, lest they should force them to abandon their country, for the enjoyment of the sweets of American liberty. In this view of the matter, I am confident that the cause of America is the cause of human nature, and that it will extend its influence to thousands who will never see it, and procure them a mitigation of the cruelties and oppressions imposed by their arbitrary task-masters.

If such be the glorious consequences of independence, who can be so lost to every generous sentiment, as to wish to return under royal domination? Who would not rather count it an honor to stand among the foremost, in doing and suffering in a cause so intimately connected with the happiness of human nature? Away with all the peevish complaints of the hardness of the times, and the weight of the taxes. The prize for which we contend, would be cheaply purchased with double the expense of blood, treasure, and difficulty, it will ever cost us.

Our independent constitutions, formed on the justest principles, promise fair to give the most perfect protection to life, liberty and property, equally to the poor and the rich. As at the conflagration of Corinth, the various melted metals running together, formed a new one, called Corinthian brass, which was superior to any of its component parts; in like manner, perhaps it is the will of Heaven, that a new empire should be here formed, of the different nations of the old world, which will rise superior to all that have gone before it, and extend human happiness to its utmost possible limits. None can tell to what perfection the arts of government may be brought. May we not therefore expect great things from the patriots of this generation, jointly co-operating to make the new born republic of America as complete as possible? Is it not to be hoped, that human nature will here receive her most finished touches? That the arts and sciences will be extended and improved? That religion, learning, and liberty, will be diffused over this continent? and in short, that the American editions of the human mind will be more perfect than any that have yet appeared? Great things have been achieved in the infancy of states; and the ardor of a new people, rising to empire and

renown, with prospects that tend to elevate the human soul, encourages these flattering expectations.

Should any puny politician object, that all these prospects are visionary, till we are certain of independence, I reply, that we have been in possession of it for two years, and are daily more able to support it, and our enemies less able to upset it. When we first dared to contend with Britain, we were a loose, disjointed people, under no other government but that of a well regulated mob. If in these circumstances, we were able to defend ourselves, what may we not expect, when we can draw forth our whole strength in a regular, constitutional manner? If the maiden courage of our new levies, has successfully withstood the well trained bands of our enemies, can we distrust, when three campaigns have made them equal in discipline, with those whom they are to contend? Such is the situation of Britain, that were we only able to keep up the appearance of an army, she could not afford to protract the war: But instead of this, our troops are more numerous, better disciplined, clothed and armed, than they ever were. The most timid may dismiss all their doubts, since Louis the XVI. of France, that illustrious protector of the rights of human nature, with a magnanimity worthy of himself, has guaranteed to us our independency. If Britain could not subdue America, when she stood single and alone, how abortive must all her attempts prove, when we are aided by the power of the greatest European monarch?

The special interposition of Providence in our behalf, makes it impious to disbelieve the final establishment of our heaven-protected independence. Can any one seriously review the beginning, progress, and present state of the war, and not see indisputable evidence of an over-ruling influence on the minds of men, preparing the way for the accomplishment of this great event?

As all the tops of corn, in a waving field, are inclined in one direction by a gust of wind, in like manner, the governor of the world has given one, and the same universal bent of inclination to the whole body of our people. Is it a work of man, that thirteen states, frequently quarrelling about boundaries, clashing in interests, differing in policy, manners, customs, forms of government, and religion, scattered over an extensive continent, under the influence of a variety of local prejudices, jealousies, and aversions, should all harmoniously agree, as if one mighty mind inspired the whole?

Our enemies seemed confident of the impossibility of our union; our friends doubted it; and all indifferent persons, who judged of things present,

by what has heretofore happened, considered the expectation thereof as romantic: But He, who sitteth at the helm of the universe, and who boweth the hearts of a whole nation as the heart of one man, for the accomplishment of his own purposes, has effected that, which to human wisdom and foresight seemed impossible. A review of the history of America, from its first discovery to the present day, forces upon us a belief, that greater blessings are reserved for this continent, than she ever could have possessed whilst lying low at the foot of an European island.

It has never yet been fairly tried how far the equal principles of republican government would secure the happiness of the governed. The ancients, unacquainted with the present mode of taking the sense of the people by representatives, were too apt, in their public meetings, to run into disorder and confusion. The distinction of *patricians* and *plebians*, laid the foundation of perpetual discord in the Roman commonwealth. If the free states of Greece had been under the control of a common superintending power, similar to our continental congress,\* they could have peaceably decided their disputes, and probably would have preserved their freedom and importance to the present day. Happily for us, warned by experience, we have guarded against all these evils. No artificial distinction of ranks has been suffered to take place among us. We can peaceably convene a state in one small assembly of deputies, representing the whole in an

\*Their council of Amphictyones in some things, resembled our congress; but their powers were too limited. This suggests a hint, that a consideration of the United States, on principles that vest the congress with ample powers, is most likely to perpetuate our republican governments and internal tranquility. The union of independent commonwealths, under one common head, is an application of the social compact to states, and requires powers proportionably enlarged. Treason in our governments, puts on a new aspect, and may be committed by a state as well as an individual; and therefore ought to be clearly defined, and carefully guarded against.

To give permanency to our confederation on republican principles, the following regulations seem expedient: That congress should have a power to limit or divide large states, and to erect new ones: To dispose of the money arising from quit-rents and vacant lands, at least till all the expenses of the war are sunk: To establish a general intercourse between the states, by assigning to each, one or more manufactories, with which it should furnish the rest; so as to create a reciprocal dependence of each, upon the whole: To erect a great continental university, where gentlemen from all the states may form an acquaintance, receive the finishing touches of education, and be inspired with continental liberality of mind, superior to local prejudices, and favorable to a confederated union.

equal proportion. All disputes between the different states, and all continental concerns, are to be managed by a congress of representatives from each. What a security for liberty, for union, for every species of political happiness! Small states are weak, and incapable of defence, large ones are unwieldy, greatly abridge natural liberty, and their general laws, from a variety of clashing interests, must frequently bear hard on many individuals: But our confederation will give us the strength and protection of a power equal to that of the greatest; at the same time that, in all our internal concerns, we have the freedom of small independent commonwealths. We are in possession of constitutions that contain in them the excellencies of all forms of government, free from the inconveniences of each; and in one word, we bid fair to be the happiest and freest people in the world for ages yet to come.

When I anticipate in imagination the future glory of my country, and the illustrious figure it will soon make one the theatre of the world, my heart distends with generous pride for being an American. What a substratum for empire! compared with which, the foundation of the Macedonian, the Roman, and the British, sink into insignificance. Some of our large states have territory superior to the island of Great Britain; whilst the whole, together, are little inferior to Europe itself. Our independence will people this extent of country with freemen, and will stimulate the innumerable inhabitants thereof, by every motive, to perfect the acts of government, and to extend human happiness.

I congratulate you on our glorious prospects. Having for three long years weathered the storms of adversity, we are at length arrived in view of the calm haven of peace and security. We have laid the foundations of a new empire, which promises to enlarge itself to vast dimensions, and to give happiness to a great continent. It is now our turn to figure on the face of the earth, and in the annals of the world. The arts and sciences are planted among us, and, fostered by the auspicious influence of equal governments, are growing up to maturity; while truth and freedom flourish by their sides. Liberty, both civil and religious, in her noon-tide blaze, shines forth with unclouded lustre on all ranks and denominations of men.

Ever since the flood, true religion, literature, arts, empire and riches, have taken a slow and gradual course from east to west, and are now about fixing their long and favorite abode in this new western world. Our sun of political happiness is already risen, and hath lifted its head over

the mountains, illuminating our hemisphere with liberty, light, and polished life. Our independence will redeem one quarter of the globe from tyranny and oppression, and consecrate it to a chosen seat of truth, justice, freedom, learning, and religion. We are laying the foundation of a new empire for countless millions. Generations yet unborn will bless us for the blood-bought inheritance we are about to bequeath them. Oh times! Oh glorious days! Oh kind, indulgent Providence, that we live in this highly favored period, and have the honor of helping to bring about these great events, and of suffering in a cause of such infinite importance!

### Judge Drayton's Charge.

At an adjournment of the court of GENERAL SESSIONS OF THE PEACE, OVER AND TERMINER, AND GENERAL GAOL DELIVERY, held at Charleston for the district of Charleston, on Tuesday the 23d day of April, 1776—Before the honorable LIAM HENRY DRAYTON, esq. chief justice, and his associates, justices of the colony of Carolina.

On motion of Mr. Attorney General, a charge was delivered to the grand jury, by the chief justice, in the following words:—

By order of the court,  
JOHN COLCOCK, C.

May 2d.

#### THE CHARGE TO THE GRAND JURY.

Gentlemen of the grand jury—When, by the various combinations tending to nothing less than anarchy and tyranny, trials by jury have been discontinued, and the rights of the people, in discharge of their duty, have been neglected and as soon as met, as silently and arbitrarily missed without being impanelled, whereby the rights of magna charta, justice has been denied; it cannot but afford to every good man, the most sincere satisfaction, once to see juries, as they now are, legally impanelled to the end, that the laws may be duly administered. I do most heartily congratulate you upon the important event.

In this court, where silence has but too long presided, with a direct purpose to loosen the ties of government, that this country might be plunged in anarchy and confusion, you are now to regulate your verdicts, under a new constitution of government, independent of royal authority, a constitution which arose according to the law of nature and of nations, and which was established in the late congress, on the 3d of March last—A day that will be ever memorable in this country—a month, remarkable in our history, for having given birth to the original constitution of our government in the year 1669: f

the era of the American calamities by the stamp act, in the year 1765; for being the date of the repeal of that act in the following year; and for the conclusion of the famous siege of Boston, when the American arms compelled general Howe, a general of the first reputation in the British service, with the largest, best disciplined, and best provided army in that service, supported by a formidable fleet, so precipitately to abandon the most impregnable fortifications in America, as that he left behind him a great part of the bedding, military stores, and cannon of the army. And for so many important events, is the month of March remarkable in our annals.—But I proceed to lay before you, the principal causes leading to the late revolution of our government—the law upon the point—and the benefits resulting from that happy and necessary establishment.—The importance of the transaction deserves such a state—the occasion demands,—and our future welfare requires it: To do this may take up some little time; but the subject is of the highest moment, and worthy of your particular attention: I will therefore confine my discourse to that great point; and, after charging you to attend to the due observance of the jury law, and the patrol and negro acts, forbearing to mention the other common duties of a grand jury, I will expound to you THE CONSTITUTION OF YOUR COUNTRY.

The house of Brunswick was yet scarcely settled in the British throne, to which it had been called by a free people, when, in the year 1719, our ancestors in this country, finding that the government of the lords proprietors operated to their ruin, exercised the rights transmitted to them by their forefathers of England; and casting off the proprietary authority, called upon the house of Brunswick to rule over them—a house elevated to royal dominion, for no other purpose than to preserve to a people their unalienable rights. The king accepted the invitation, and thereby indisputably admitted the legality of *that* revolution. And in so doing, by his own act, he vested in those our forefathers, and us their posterity, a clear right to effect *another* revolution, if ever the government of the house of Brunswick should operate to the ruin of the people.—So the excellent Roman emperor, Trajan, delivered a sword to Saburanus, his captain of the Prætorian guard, with this admired sentence. “Receive *this* sword, and use it to defend me if I govern well, but *against* me, if I be *have* ill.”

With joyful acclamations our ancestors, by act of assembly, passed on the 18th day of August,

1721, recognized the British monarch: The virtues of the second George are still revered among us—he was the father of his people: And it was with extacy we saw his grandson, George the Third, mount the throne possessed of the hearts of his subjects.

But alas! almost with the commencement of his reign, his subjects felt causes to complain of government. The reign advanced—the grievances became more numerous and intollerable—the complaints more general and loud—the whole empire resounded with the cries of injured subjects! At length, grievances being unredressed and ever increasing; all patience being borne down; all hope destroyed; all confidence in royal government blasted!—Behold! the empire is rent from pole to pole!—perhaps to continue asunder forever.

The catalogue of our oppressions, continental and local, is enormous. Of such oppressions, I will mention only some of the most weighty.

Under color of law, the king and parliament of Great Britain have made the most arbitrary attempts to enslave America:

By claiming a right to BIND THE COLONIES “IN ALL CASES WHATSOEVER;”

By laying duties at their mere will and pleasure upon all the colonies;

By suspending the legislature of New York;

By rendering the American charters of no validity, having annulled the most material parts of the charter of the Massachusetts-Bay;

By divesting multitudes of the colonists of their property, without legal accusation or trial;

By depriving whole colonies of the bounty of Providence on their own proper coasts, in order to coerce them by famine;

By restricting the trade and commerce of America;

By sending to, and continuing in America, in time of peace, an armed force without and against the consent of the people;

By granting impunity to a soldiery instigated to murder the Americans;

By declaring, that the people of Massachusetts-Bay are liable for offences, or *pretended* offences, done in that colony, to be sent to, and tried for the same in ENGLAND; or in any COLONY where *they cannot have the benefit of a jury of the vicinage;*

By establishing in Quebec, the Roman Catholic religion, and an arbitrary government; instead of the Protestant religion and a free government.

And thus America saw it demonstrated, that no faith ought to be put in a royal proclamation; for



I must observe to you that, in the year 1763, by such a proclamation, people were invited to settle in Canada, and were assured of a legislative representation, the benefit of the common law of England, and a free government. It is a misfortune to the public, that this is not the only instance of the inefficacy of a royal proclamation: However, having given you one instance of a failure of royal faith in the northern extremity of this abused continent, let it suffice, that I direct your attention to the southern extremity; respecting which, the same particulars were, in the same manner promised, but the deceived inhabitants of St. Augustine are left by their grand jury, in vain to complain and lament to the world, and yet scarcely permitted to exercise even that privilege distinguishing the miserable, that royal faith is not kept with them.

The proceedings which I have enumerated, either immediately or in their evident consequences, deeply affected all the colonies: ruin stared them in the face. They united their counsels, and laid their just complaints before the throne, praying a redress of grievances. But, to their astonishment, their dutiful petition for peace and safety, was answered *only* by an actual commencement of war and military destruction!

In the mean time, the British troops that had been peaceably received by the devoted inhabitants of Boston, *as the troops of their sovereign bound to protect them!* fortified that town, to imprison the inhabitants, and to hold that capital against the people to whom it belonged! And the British rulers having determined to appeal from reason and justice, to violence and arms, a select body of these troops, being in the night suddenly and privately marched from Boston—at Lexington, on the 19th day of April, 1775, they by surprise drew the sword of civil war, and plunged it into the breasts of the Americans! Against this horrid injustice the Almighty gave instant judgment: A handful of country militia, badly armed, suddenly collected, and unconnectedly, and irregularly brought up to repel the attack, discomfited the regular bands of the tyranny; they retreated, and night saved them from total slaughter.

Thus forced to take up arms in our own defence, America yet again most dutifully petitioned the king, that he would “be pleased to direct some mode, by which the united applications of his faithful colonists to the throne, in presence of their common councils, might be improved into a happy and permanent reconciliation; and that in the mean-

time, measures might be taken for preventing the further destruction of the lives of his majesty's subjects:”—But, it was in vain!—The petition on the part of millions, *praying that the effusion of blood might be stayed*, was not thought worthy of an answer! The nefarious war continued. The ruins of Charlestown, Falmouth and Norfolk, to *was* not constructed for offence or defence, mark the humane progress of the royal arms: So the ruins of Carthage, Corinth, and Numantium, proclaimed to the world that justice was expelled the Roman senate!—On the other hand, the fortitude with which America has endured these civil and military outrages; the union of her people, as astonishing as unprecedented, when we consider their various manners and religious tenets; their distance from each other; their various and clashing local interests, their self denial; and their *miraculous* success in the prosecution of the war: I say, these things all demonstrate that the Lord of Hosts is on our side! So it is apparent, that the Almighty Constructor of the universe, having formed this continent of materials to compose a state pre-eminent in the world, is now making use of the tyranny of the British rulers, as an instrument to fashion and arrange those materials for the end for which, in his wisdom, he had formed them.

In this enlightened age, humanity must be particularly shocked at a recital of such violences; and it is scarce to be believed, that the British tyranny could entertain an idea of proceeding against America by a train of more dishonorable machinations. But, nothing less than *absolute proof* has convinced us that, in carrying on the conspiracy against the rights of humanity, the tyranny is capable of attempting to perpetrate whatever is infamous.

For the little purpose of disarming the imprisoned inhabitants of Boston, the king's general, Gage, in the face of day, violated the public faith, *by himself plighted*; and in concert with other governors, and with John Stuart, he made every attempt to *instigate the savage nations to war upon the southern colonies*, indiscriminately to massacre man, woman and child: The governors in general have demonstrated, that truth is not in them; they have enveiled negroes from, and have armed them against their masters; they have armed brother against brother—son against father!—Oh! Almighty Director of the universe! What confidence can be put in a government ruling by such engines, and upon such principles of *unnatural* destruction!—A government that, upon the 21st day of December last, made a law, *ex post facto*, to justify what

had been done, not only without law, but in its nature unjust!—a law to make prize of all vessels trading in, to, or from the united colonies—a law to make slaves of the crews of such vessels, and to compel them to bear arms against their conscience, their fathers, their bleeding country!—The world, so old as it is, heretofore had never heard of so atrocious a procedure: It has no parallel in the registers of tyranny.—But to proceed—

The king's judges in this country refused to administer justice; and the late governor, lord William Campbell, acting as the king's representative for him, and on his behalf, having endeavored to subvert the constitution of this country, by breaking the original contract between king and people, attacking the people by force of arms; having violated the fundamental laws; having carried off the great seal, and having withdrawn himself out of this colony, he abdicated the government.

Oppressed by such a variety of enormous injuries, continental and local, civil and military, and by divers other arbitrary and illegal courses; all done and perpetrated by the assent, command, or sufferance of the king of Great Britain; the representatives of South Carolina, in congress assembled, found themselves under an unavoidable necessity of establishing a form of government, with powers legislative, executive and judicial, for the good of the people; the origin and great end of all just government.—For this only end, the house of Brunswick was called to rule over us.—Oh! agonizing reflection! that house ruled us with swords, fire and bayonets! The British government operated *only* to our destruction. Nature cried aloud, self preservation is the great law—we have but obeyed.

If I turn my thoughts to recollect in history, a change of government upon more cogent reasons, I say I know of no change upon principles so provoking—compelling—justifiable. And in these respects, even the famous revolution in England, in the year 1688, is much inferior.—However we need no better authority than that illustrious precedent; and I will therefore compare the causes of, and the law upon the two events.

On the 7th of February, 1688, the lords and commons of England, in convention, completed the following resolution.

"Resolved, That king James the second, having endeavored to subvert the constitution of the kingdom, by breaking the original contract between king and people; and, by the advice of Jesuits and other wicked persons, having violated the funda-

mental laws, and having withdrawn himself out of this kingdom; has abdicated the government, and that the throne is thereby vacant."

That famous resolution deprived James of his crown; and became the foundation on which the throne of the present king of Great Britain is built—it also supports the edifice of government which we have erected.

In that resolve, there are but three facts stated to have been done by James: I will point them out, and examine whether those facts will apply to the present king of Great Britain, with regard to the operations of government, by him or his representative, immediately or by consequence affecting this colony.

The first fact is, the having endeavored to subvert the constitution of the kingdom by breaking the original contract.

The violation of the fundamental laws is the second fact; and in support of these two charges, the lords spiritual and temporal and commons, assembled at Westminster, on the 12th day of February, 1688, declared that James was guilty.

"By assuming, and exercising a power of dispensing with, and suspending of laws, and the execution of laws, without consent of parliament;

"By committing and prosecuting divers worthy prelates, for humbly petitioning to be excused from concurring to the said assumed power:

"By issuing and causing to be executed a commission, under the great seal, for erecting a court, called the court of commissioners for ecclesiastical causes:

"By levying money for, and to the use of the crown, by pretence of prerogative, for other time, and in other manner, than the same was granted by parliament:

"By raising and keeping a standing army within this kingdom in time of peace, without consent of parliament; and quartering soldiers contrary to law;

"By causing several good subjects, being protestants, to be disarmed, at the same time when papists were both armed and employed contrary to law;

"By violating the freedom of election of members to serve in parliament;

"By prosecutions in the court of king's bench, for matters and causes cognizable only in parliament; and by divers other arbitrary and illegal courses."

This declaration, thus containing two points of criminality—breach of the original contract, and

violation of fundamental laws—I am to distinguish one from the other.

In the first place then, it is laid down in the best law authorities, that protection and subjection are reciprocal; and that these reciprocal duties form the original contract between king and people. It therefore follows, that the original contract was broken by James' conduct as above stated, which amounted to a not affording due protection to his people. And, it is as clear, that he violated the fundamental laws, by the suspending of laws; and the execution of laws; by levying money; by violating the freedom of election of members to serve in parliament; by keeping a standing army in time of peace; and by quartering soldiers contrary to law, and without consent of parliament; which is as much as to say, that he did those things without consent of the *legislative assembly* chosen by the *PERSONAL ELECTION* of that people, over whom such doings were exercised.

These points, reasonings, and conclusions, being settled in, deduced from, and established upon parliamentary proceedings, and the best law authorities, must ever remain unshaken. I am now to undertake the disagreeable task of examining, whether they will apply to the violences which have lighted up, and now feed the flames of civil war in America.

James the second suspended the operations of laws—George the third caused the charter of the Massachusetts Bay to be in effect annihilated; he suspended the operation of the law which formed a legislature in New York, vesting it with adequate powers; and thereby he caused the very ability of making laws in that colony to be suspended.

King James levied money without the consent of the representatives of the people called upon to pay it—king George has levied money upon America, not only without, but expressly *against* the consent of the representatives of the people in America.

King James violated the freedom of election of members to serve in parliament—king George, by his representative, lord William Campbell, acting for him and on his behalf, broke through a fundamental law of this country, for the certain holding of general assemblies; and thereby, as far as in him lay, not only violated but annihilated the very ability of holding a general assembly.

King James in time of peace kept a standing army in England, without consent of the representatives of the people among whom that army

was kept—king George hath in time of peace invaded this continent with a large standing army without the consent, and he hath kept it within this continent, expressly against the consent of the representatives of the people among whom that army is posted.

All which doings by king George the third respecting America are as much contrary to our interests and welfare; as much against law, and tend as much, at least, to subvert and extirpate the liberties of this colony, and of America, as the similar proceedings, by James the second, operated respecting the people of England. For the same principle of law, touching the premises, equally applies to the people of England in the one case, and to the people of America in the other. And this is the great principle. Certain acts done, over, and affecting a people, against and *without THEIR CONSENT expressed by THEMSELVES, or by REPRESENTATIVES of their own ELECTION.*—Upon this *only* principle was grounded the complaints of the people of England—upon the *same* is grounded the complaints of the people of America. And hence it clearly follows, that if James the second violated the fundamental laws of England, George the third hath also violated the fundamental laws of America.

Again—

King James broke the original contract by not affording due protection to his subjects, although he was not charged with having seized their towns and with having held them against the people—or with having laid them in ruins by his arms—or with having seized their vessels—or with having pursued the people with fire and sword—or with having declared them rebels, for resisting his arms levelled to destroy their lives, liberties and properties—But George the third hath done all those things against America; and it is therefore undeniable, that he hath not afforded due protection to the people. Wherefore, if James the second broke the original contract, it is undeniable that George the third has also broken the original contract between king and people; and that he made use of the most violent measures by which it could be done—Violences, of which JAMES was GUILTY—Measures, carrying conflagration, massacre and open war amidst a people, whose subjection to the king of Great Britain, the law holds to be due *only* as a return for protection. And so tenacious and clear is the law upon this very principle, that it is laid down, subjection is not due even to a king *de jure*, or of right, unless he be also king *de facto*.

or in possession of the executive powers dispensing protection.

Again—

The third fact charged against James is, that he withdrew himself out of the kingdom—And we know that the people of this country have declared, that lord William Campbell, the king of Great Britain's representative, "having used his utmost efforts to destroy the lives, liberties, and properties of the good people here, whom by the duty of his station he was bound to protect, withdrew himself out of the colony."—Hence it will appear, that George the third hath withdrawn himself out of this colony, provided it be established that exactly the same natural consequence resulted from the withdrawing in each case respectively: king James personally out of England, and king George out of Carolina, by the agency of his substitute and representative, lord William Campbell.—By king James's withdrawing, the executive magistrate was gone, thereby, in the eye of the law, the executive magistrate was dead, and of consequence royal government actually ceased in England—So by king George's representative's withdrawing, the executive magistrate was gone, the death, in law, became apparent, and of consequence royal government actually ceased in this colony. Lord William withdrew as the king's representative, carrying off the great seal and royal instructions to governors, and acting for and on the part of his principal, by every construction of law, that conduct became the conduct of his principal; and thus, James the second withdrew out of England and George the third withdrew out of South Carolina; and by such a conduct, respectively, the people in each country were exactly in the same degree injured.

The three facts against king James being thus stated and compared with similar proceedings by king George, we are now to ascertain the result of the injuries done by the first, and the law upon that point; which, being ascertained, must naturally constitute the judgment in law, upon the result of the similar injuries done by the last: And I am happy that I can give you the best authority upon this important point.

Treating upon this great precedent in constitutional law, the learned judge Blackstone declares, that the result of the facts "amounted to an abdication of the government, which abdication did not affect only the person of the king himself, but also, *all his heirs*; and rendered the throne absolutely and completely vacant." Thus it clearly

appears, that the government was not abdicated, and the throne vacated by the resolution of the lords and commons; but, that the resolution was only declaratory of the law of nature and reason, upon the result of the injuries proceeding from the three combined facts of mal-administration.—And thus, as I have on the foot of the best authorities made it evident, that George the third, king of Great Britain, has endeavored to subvert the constitution of this country, by breaking the original contract between king and people; by the advice of wicked persons, has violated the fundamental laws, and has withdrawn himself, by withdrawing the constitutional benefits of the kingly office, and his protection out of this country: From such a result of injuries, from such a conjuncture of circumstances—the law of the land authorises me to declare, and it is my duty boldly to declare the law, that George the third, king of Great Britain, has abdicated the government, and that the throne is thereby vacant; that is, *HE HAS NO AUTHORITY OVER US, AND WE OWE NO OBEDIENCE TO HIM.*—The British ministers already have presented a charge of mine to the notice of the lords and commons in parliament; and I am nothing loth that they take equal resentment against this charge. For, supported by the fundamental laws of the constitution, and engaged as I am in the cause of virtue—I fear no consequences from their machinations.

Thus having stated the principal causes of our *last* revolution, it is as clear as the sun in meridian, that George the third has injured the Americans, at least as grievously as James the second injured the people of England; but that James did not oppress these in so *criminal* a manner as George has oppressed the Americans. Having also stated the law on the case, I am naturally led to point out to you some of the great benefits resulting from that revolution.

In one word then, you have a form of government in every respect preferable to the mode under the British authority: And this will most clearly appear by contrasting the two forms of government.

Under the British authority, governors were sent over to us, who were utterly unacquainted with our local interests, the genius of the people, and our laws; generally, they were but too much disposed to obey the mandates of an arbitrary ministry; and if the governor behaved ill, we could not by any peaceable means procure redress.—

But, under our present happy constitution, our executive magistrate arises according to the spirit and letter of holy writ—"their governors shall proceed from the midst of them." Thus, the people have an opportunity of choosing a man intimately acquainted with their true interests, their genius, and their laws; a man perfectly disposed to defend them against arbitrary ministers, and to promote the happiness of that people from among whom he was elevated; and by whom, without the least difficulty, he may be removed and blended in the common mass.

Again, under the British authority it was in effect declared, that we had no property; nay that we could not possess any; and that we had not any of the rights of humanity: For men who knew us not, men who gained in proportion as we lost, arrogated to themselves a right to BIND US IN ALL CASES WHATSOEVER!—But, our constitution is calculated to FREE us from foreign bondage; to secure to us our property; to maintain to us the rights of humanity, and to defend us and our posterity against British authority, aiming to reduce us to the most abject slavery!

Again, the British authority declared, that we should not erect slitting-mills—and, to this unjust law, we implicitly and respectfully submitted so long as, with safety to our lives, we could yield obedience to such authority—but a resolution of congress now grants a premium to encourage the construction of such mills. The British authority discouraged our attempting to manufacture for our own consumption—but the new constitution, by authorising the disbursement of large sums of money by way of loan, or premium, encourages the making of iron, bar-steel, nail-rods, gun-locks, gun-barrels, sulphur, nitre, gun-powder, lead, woolens, cottons, linens, paper and salt.

Upon the whole, it has been the policy of the British authority to oblige us to supply our wants at their market, which is the *dearest* in the known world, and to cramp and confine our trade so as to be subservient to their commerce, our real interest being ever out of the question.—On the other hand, the new constitution is wisely adapted to enable us to trade with foreign nations, and thereby to supply our wants at the *cheapest* markets in the universe; to extend our trade infinitely beyond what it has ever been known; to encourage manufacturers among us; and it is peculiarly formed, to promote the happiness of the people, from among whom, by virtue and merit, THE

POOREST MAN may arrive at THE HIGHEST MEANS —On Carolinians! happy would you be under the new constitution, if you knew your happy state.

Possessed of a constitution of government, founded upon so generous, equal and natural a principle—a government expressly calculated to make the people rich, powerful, virtuous and happy, we can wish to change it, to return under a royal government; the vital principles of which are the reverse in every particular! It was my duty to lift this happy constitution before you, in its genuine light—it is your duty to understand—to instruct others—and to defend it.

I might here with propriety quit this truly important subject, but my anxiety for the public we compels me yet to detain your attention, while I make an observation or two upon one particular part of the constitution.

When all the various attempts to enslave America by fraud, under guise of law; by military threats; by famine, massacre, breach of public faith, and open war: I say, when these things are considered on the one hand, and on the other, the constitution, expressing that some mode of government should be established, "until an accommodation of the unhappy differences between Great Britain and America can be obtained, a event which, though traduced and treated as "rebels, we still ardently desire:" I say when these two points are contrasted, can we avoid revering the magnanimity of that great council of the state, who after such injuries could entertain such a principle!—But, the virtuous are ever generous: We do not wish revenge: We earnestly wish an accommodation of our unhappy dispute with Great Britain; for, we prefer peace to war.—Nay, there may be even such an accommodation as, excluding every idea of revenue by taxation or duty, or of legislation by act of parliaments, may vest the king of Great Britain with such a limited dominion over us as may tend, *bona fide*, to promote our true commercial interests, and to secure our freedom and safety—the only just ends of any dominion. But, while I declare thus much on the one side, on the other it is my duty also to declare that, in my opinion, our true commercial interests cannot be provided for but by such a material alteration of the British acts of navigation as, according to the resolve of the honorable the continental congress, will "secure the commercial advantages of the whole empire to the mother country, and the commercial benefits of its respective members." And that our liberties and safety can

not be depended upon, if the king of Great Britain should be allowed to hold our forts and cannon, or to have authority over a single regiment in America, or a single ship of war in our ports.—For if he hold our forts, *he may turn them against us, as he did Boston against her proprietors: If he acquires our cannon, he will effectually disarm the colony: If he has a command of troops among us, even if we raise and pay them, shackles are fixed upon us—witness Ireland and her national army.—The most express act of parliament cannot give us security, for acts of parliament are as easily repealed as made. Royal proclamations are not to be depended upon, witness the disappointments of the inhabitants of Quebec and St. Augustine. Even a change of ministry will not avail us, because notwithstanding the rapid succession of ministers for which the British court has been famous during the present reign, yet the same ruinous policy ever continued to prevail against America.—In short I think it my duty to declare in the awful seat of justice and before Almighty God, that in my opinion, the Americans can have no safety but by the Divine favor, their own virtue, and their being so prudent as NOT TO LEAVE IT IN THE POWER OF THE BRITISH RULERS TO INJURE THEM. Indeed, the ruinous and deadly injuries received on our side; and the jealousies entertained and which, in the nature of things, must daily increase against us, on the other, demonstrate to a mind, in the least given to reflection upon the rise and fall of empires, that true reconciliation never can exist between Great Britain and America, the latter being in subjection to the former.—The Almighty created America to be independent of Britain: Let us beware of the impiety of being backward to act as instruments in the Almighty hand, now extended to accomplish his purpose; and by the completion of which alone America, in the nature of human affairs, can be secure against the craft and insidious designs of her ENEMIES WHO THINK HER PROSPERITY AND POWER ALREADY BY FAR TOO GREAT. In a word, our piety and political safety are so blended, that to refuse our labors in this Divine work, is to refuse to be a great, a free, a pious and a happy people!*

And now having left the important alternative, political happiness or wretchedness, under God, in a great degree in your own hands, I pray the Supreme Arbiter of the affairs of men, so to direct your judgment, as that you may act agreeable to what seems to be his will, revealed in his miraculous works in behalf of America, bleeding at the altar of liberty!

THE PRESENTMENTS OF THE JURY.

*At a court of GENERAL SESSIONS OF THE PEACE, OPEN AND TERMINER, ASSIZE AND GENERAL GAOL DELIVERY, begun to be holden in and for the district of Charleston, at Charleston, in the colony aforesaid, on Tuesday the 23d day of April, in the year of our Lord one thousand seven hundred and seventy-six.*

*The presentments of the grand jury for the said district.*

I. Fully sensible and thoroughly convinced, that to live in a society without laws or a proper execution of them, to restrain the licentious nature of mankind, is the greatest misery that can befall a people, and must render any body of men, in such a situation, but little superior to a herd of brutes: and being no less sensible that it was the scheme of a corrupt nefarious administration in Great Britain to reduce the good people of this colony to that wretched situation, from a want of officers to execute the laws, those whom they had appointed having refused to act in their respective stations, that, through the evil effects of anarchy and confusion, the people might become an easy prey to the cruel designs of their insidious enemies; while we lament the necessity which has obliged the people to resume into their hands those powers of government which were originally derived from themselves for the protection of those rights which God alone has given them, as essential to their happiness, we cannot but express our most unfeigned joy in the happy constitution of government now established in this colony, which promises every blessing to its inhabitants, which a people, endued with virtue, and a just regard to the rights of mankind, could desire. With gratitude to the Divine Ruler of human events, and with the most pleasing expectations of happiness from a constitution so wise in its nature, and virtuous in its ends, being founded on the strictest principles of justice and humanity, and consistent with every privilege incident to the dignity of a rational being, we cannot but declare we think every opposition to its operations, or disregard to its authority, the foulest criminality a mortal can be guilty of, highly offensive in the eyes of God and of all just men, and deserving the most exemplary punishment.

We cannot but deplore the unhappy situation of any few amongst the people of this colony who, through an ignorance of their true interests and just rights, and from a want of proper information of the real truth, may be misled by the artifice and cunning of their false and designing enemies, from a real sense of those benefits which our present constitution has so amply provided for: bene-

sits which are not confined or limited to any ranks or degrees of men in particular, but generally, equally and indiscriminately extending to all, from the richest to the poorest, and which time and a little patient experience must soon evince.

Every good citizen must be happy in the consideration of the choice of those officers, appointed in the administration of our present government, as well in the impartial mode of an appointment arising from the people themselves, and the limited duration of their power, as in their personal characters as men, justly beloved and revered by their country, and whose merits and virtues entitle them to every pre-eminence.

Filled with these sentiments, arising from mature deliberation, and the most impartial enquiry, we must further declare, that blessings such as these we have before enumerated, are too inestimable to be lost, and that nothing in nature can repay the least violation of them; and although an accommodation with the power which attempts to destroy them may be highly worthy of attention, and, upon principles truly honorable, of obtaining, yet we think it a sacred duty incumbent upon every citizen to maintain and defend, with his life and fortune, what is given and entrusted to him by the hand of Providence, not for his own good only, but for the lasting happiness of posterity: A trust which no law can ever annul, which is the grand principle of existence, and the source of every social virtue.

II. We present as a grievance intolerable to the spirit of a people born and nurtured in the arms of freedom, and (though ever submissive to the just mandates of legal authority) holding every oppression as detestable, the unjust, cruel and diabolical acts of the British parliament, not only declaring the good people of the united colonies of North America rebels, for defending those invaluable rights which no human power can lawfully divest them of, but making all murders, rapines, thefts, robberies, and other inhuman oppressions, done before the passing of those acts without authority, and which were, after the passing the said acts, to be done by the British forces in these colonies, legal and warrantable, to the eternal disgrace and indelible infamy of a kingdom, once renowned for her justice, honor and humanity, but now meanly descending to that wanton profligacy which even savages abhor.

III. We present as a very great grievance, the indulgence allowed to all those who are inimical

to the liberties of America and the operation of the united colonies amongst us in suffering them to reside here, and be admitted to intercourse dangerous to the peace and welfare of this colony.

IV. We present that the public oaths directed by an act of the general assembly, passed since the forming of our present constitution, to be administered to those exercising public offices, trusts, and professions, are not administered to such of the clergy as are included in the same.

V. We present that the times at which the several parochial committees meet or are appointed for their meeting, are not made public; and we do recommend that they do publish the same in the public papers, that all persons who are desirous of obtaining leave to sue for debts, may know when to apply.

VI. We present as a great grievance, more particularly at this time, the want of due attention to the roads and ferries in this colony; many of the roads not being sufficiently wide and worked upon agreeable to law, and the ferries in general not having boats sufficient to forward passengers upon any emergent occasion.

VII. We present as a grievance the too frequent forestalling out of the waggons, coming from the back parts of the country, the many necessities of life, by which the good inhabitants of this town are obliged to pay most exorbitant prices for the same; and with submission would recommend a place to be appointed for the sale of bacon, flour, butter, and other such necessities brought to town in carriages, to be regulated by the market act.

VIII. We present the want of a proper person by law to oblige the sellers of blades and hay, to weigh the same at a public scale.

<i>Jonathan Scott, foreman</i>	[L. s.]
<i>George Cooke,</i>	[L. s.]
<i>Thomas Jones,</i>	[L. s.]
<i>John Lightwood,</i>	[L. s.]
<i>Peter Leger,</i>	[L. s.]
<i>Philip Meyer,</i>	[L. s.]
<i>Isaac Mazyck,</i>	[L. s.]
<i>John Owen,</i>	[L. s.]
<i>John Smyth,</i>	[L. s.]
<i>Joseph Jenkins,</i>	[L. s.]
<i>Joseph Cox,</i>	[L. s.]
<i>Daniel Lesseesne,</i>	[L. s.]
<i>Lewis Dutarque,</i>	[L. s.]
<i>John Singeltary,</i>	[L. s.]

ANOTHER—BY JUDGE DRAYTON.

At a court of GENERAL SESSIONS OF THE PEACE, Oyer and Terminer, Assize and General Gaol Delivery, begun and holden at Charleston, for the district of Charleston, on Tuesday, October 15th, in the year of our Lord, 1776—Before the hon. WILLIAM HENRY DRAYTON, esq. chief justice, and his associates, justices of the said court.

ORDERED, That the charge delivered by his honor, the chief justice, to the grand jury, and their presentments at this sessions, be forthwith published.

By order of the court,  
JOHN COLCOCK, C. C. S.

THE CHARGE TO THE GRAND JURY.

*Gentlemen of the grand jury.*—The last time I had the honor to address a grand jury in this court, I expounded to them the constitution of their country, as established by congress on the 26th day of March last, independent of royal authority. I laid before them the causes of that important change of our government—a comparison of these, with those that occasioned the English revolution of 1688—and the law resulting from the injuries in each case. I spoke to that grand jury of the late revolution of South Carolina. I mean to speak to you upon a more important subject—the rise of the American empire.

The great act in March last upon the matter, constituted our country totally independent of Great Britain. For it was calculated to place in our hands the whole legislative, executive and judicial powers of government; and to enable us, in the most effectual manner, by force of arms, to oppose, resist and war against the British crown. The act naturally looked forward to an accommodation of the unhappy differences between that power and America: In like manner every declaration of war between independent states, implies a future accommodation of their disputes. But, although by that act we were upon the matter made independent, yet there were no words in it specially declarative of that independency. Such a declaration was of right to be made only by the general congress; because the united voice and strength of America were necessary to give a desirable credit and prospect of stability to a declared state of total separation from Great Britain: And the general congress, as the only means left by which they had a chance to avert the ruin of America, have issued a declaration, by which all political connection between you and the state of Great Britain is totally dissolved.

Carolinians! heretofore you were bound—by the the American revolution you are now free. The change is most important—most honorable—most

beneficial. It is your birth right by the law or nature—it is even valid by the fundamental laws of your country—you were placed in possession of it by the hand of God!—particulars evidencing a subject of the highest import.—Gentlemen of the grand jury, it is my duty to mark to you the great lines of your conduct; and so to endeavor to explain the nature of each, that you may clearly see your way, and thereby be animated in your progress to discharge those services which are required at your hands. And hence, it is necessary for me to lay before you some observations upon the nature of the American revolution, which by every tie, divine and human, you are bound to support. I shall therefore endeavor to draw your attention to this great subject, necessarily including the lines of your particular conduct.

It is but to glance an eye over the historic page, to be assured that the duration of empire is limited by the Almighty decree. Empires have their rise to a zenith—and their declension to a dissolution. The years of a man, nay the hours of the insect on the bank of the Hypanis, that lives but a day, epitomize the advance and decay of the strength and duration of dominion! One common fate awaits all things upon earth—a thousand causes accelerate or delay their perfection or ruin.—To look a little into remote times, we see that, from the most contemptible origin upon record, Rome became the most powerful state the sun ever saw: The world bowed before her imperial Fasces!—yet, having ran through all the vicissitudes of dominion, her course was finished. Her empire was dissolved, that the separated members of it might arise to run through similar revolutions.

Great Britain was a part of this mighty empire. But, being dissolved from it, in her turn she also extended her dominion:—arrived at, and passed her zenith. Three and thirty years numbered the illustrious days of the Roman greatness—Eight years measure the duration of the British grandeur in meridian lustre! How few are the days of true glory! The extent of the Roman period is from their complete conquest of Italy, which gave them a place whereon to stand, that they might shake the world, to the original cause of their declension, their introduction of Asiatic luxury. The British period is from the year 1758, when they victoriously pursued their enemies into every quarter of the globe, to the immediate cause of their decline—their injustice displayed by the stamp act.—In short, like the Roman empire, Great Britain in her constitution of government, contained a poison to bring on her decay; and in each case, this poison



was drawn into a ruinous operation by the riches and luxuries of the east. Thus, by natural causes and common effects, the American states are become dissolved from the British dominion.—And is it to be wondered at, that Britain has experienced the invariable fate of empire! We are not surprised when we see youth or age yield to the common lot of humanity—Nay, to repine that, in our day, America is dissolved from the British state, is insipuously to question the unerring wisdom of Providence. The Almighty setteth up, and he casteth down: He breaks the sceptre, and transfers the dominion: He has made choice of the present generation to erect the American empire. Thankful as we are, and ought to be, for an appointment of the kind, the most illustrious that ever was, let each individual exert himself in this important operation directed by Jehovah himself.—From a short retrospect, it is evident the work was not the present design of man.

Never were a people more wrapped up in a king, than the Americans were in George the third in the year 1763. They revered and obeyed the British government, *because it protected them*—they fondly called Great Britain—home! But, from that time, the British counsels took a ruinous turn; ceasing to protect—they sought to ruin America. the stamp act, declaratory law, and the duties upon tea and other articles, at once proclaimed their injustice, and announced to the Americans, that they had but little room for hope; infinite space for fear.—*IN VAIN THEY PETITIONED FOR REDRESS!*—Authorized by the law of nature, they exerted the inherent powers of society, and resisted the edicts which told them that they had no property; and that against their consent, and by men over whom they had no control, they were to be bound in all cases whatsoever.—Dreadful information!—Patience could not but resent them. However regardless of such feelings, and resolved to endeavor to support those all grasping claims, early in the year 1774, the British tyranny made other edicts—to overturn American charters—to suspend or destroy, at the pleasure of the crown, the value of private property—to block up the port of Boston *in terrorem* to other American ports—to give murder the sanction of law—to establish the Roman Catholic religion, and to make the king of Great Britain a despot in Canada; and as much so as he then chose to be in Massachusetts Bay. And general Gage was sent to Boston with a considerable force, to usher these edicts into action, and the Americans into slavery.

Their petitions thus answered even with the

sword of the murderer at their breasts, the Americans thought only of new petitions. It is well known there was not then even an idea that the independence of America would be the work of this generation: For people yet had a confidence in the integrity of the British monarch. At length subsequent edicts being also passed, to restrain the Americans from enjoying the bounty of Providence on their own coast, and to cut off their trade with each other and with foreign states—the royal sword yet *seeking with American blood*, and the king still deaf to the prayers of the people for “peace, liberty and safety;” it was even so late as the latter end of the last year, before that confidence visibly declined; and it was generally seen that the quarrel was likely to force America into an immediate state of independence. But such an event was not expected, because it was thought the monarch, from motives of policy, if not from inclination, would heal our wounds, and thereby prevent the separation; but it was not wished for, because men were unwilling to break off old connections, and change the usual form of government.

Such were the sentiments of America until the arrival of the British act of parliament declaring the Americans out of the royal protection, and denouncing a general war against them. But counsels too refined, generally produce contrary and unexpected events. So the whole system of British policy respecting America, since the year 1763, calculated to surprise, deceive, or drive the people into slavery—urged them into independence: and this act of parliament, in particular, finally released America from Great Britain. Antecedent to this, the British king, by his hostilities, had as far as he personally could, absolved America from that faith, allegiance and subjection she owed him; because the law of our land expressly declares, these are due only in return for his protection, allegiance being *founded* on the benefit of protection. But God knowing that we are in peril by false brethren as well as by real enemies, out of his abundant mercy has caused us to be released from subjection, by yet a better title than the mere oppressions of a man in the kingly office.—This title is singular in its kind—It is the voluntary and joint act of the whole British legislature, on the twenty first day of December, 1775, releasing the faith, allegiance and subjection of America to the British crown, *by solemnly declaring the former out of the protection of the latter*; and thereby, agreeable to every principle of law, actually *dissolving* the original contract between king and people.

Hence, an American cannot, legally, at the suit of the king of Great Britain, be indicted of high treason; because the indictment cannot charge him with an act *contra ligeantie sue debitum*; for, not being protected by that king, the law holds that he does not owe him any faith and allegiance. So an alien enemy, even invading the kingdom of England, and taken in arms, cannot be dealt with as a traitor, because *he violates no trust or allegiance*. In short this doctrine, laid down in the best law authorities, is a criterion whereby we may safely judge, whether or not a particular people are subject to a particular government. And thus upon the matter, that decisive act of parliament *ipso facto* created the united colonies free and independent states.

These particulars evidence against the royal calumniator in the strongest manner. Let him not with unparalleled effrontery from a throne continue to declare, that the Americans "meant only to amuse, by vague expressions of attachment and the strongest professions of loyalty, whilst they were preparing for a general revolt, for the purpose of establishing an independent empire." ON THE FIRST OF SEPTEMBER, 1775, Richard Penn and Arthur Lee, esquires, delivered to lord Dartmouth, he being secretary of state, a petition from the congress to the king, when lord Dartmouth told them, "NO ANSWER WOULD BE GIVEN." The petition contained this remarkable passage, that the king would "*be pleased to direct some mode, by which the united applications of his faithful colonists to the throne, in presence of their common councils, might be improved into a PERMANENT AND HAPPY RECONCILIATION; and that in the mean time, measures might be taken for preventing the further destruction of the lives of his majesty's subjects.*" YET, NOTWITHSTANDING THIS, on the 26th of OCTOBER following, from the throne, the king charged the Americans with aiming at independence! The facts I have stated are known to the world; they are yet more stubborn than the tyrant. But let other facts be also stated against him.—There was a time, when the American army before Boston had not a thousand weight of gunpowder—the forces were unable to advance into Canada, until they received a small supply of powder from this country, and for which the general congress expressly sent—and when we took up arms a few months before, we begun with a stock of five hundred weight!—These *grand* magazines of ammunition demonstrate, to be sure, that America, or even Massachusetts Bay, was preparing to enter the military road to independence!—On the contrary, if we consider the manner in which Great

Britain has conducted her irritating and hostile measures, we cannot but clearly see, that God has darkened her counsels; and that with a stretched out arm, he himself has delivered us out of the house of bondage, and has led us on to empire.

In the year 1774, general Gage arrived at Boston to awe the people into a submission to the edicts against America. The force he brought was, by the oppressors, thought not only sufficient to compel obedience, but that this would be effected even at the appearance of the sword. But, the continent being roused by the edicts, general Gage, to his surprise, found that he had not strength sufficient to carry them into execution. In this situation things continued several months, while, on the one hand, the general received reinforcements, and on the other, the people acquired a contempt for the troops, and found time to form their militia into some order to oppose the force they saw accumulating for their destruction.—Hence, in the succeeding April, when the general commenced hostilities, he was defeated. The victory produced the most important effects.—The people were animated to besiege Boston, where it soon appeared, that the British troops were too weak to make any impression upon them, thus acquiring military knowledge by the actual operations of war.—The united colonies were roused to arms.—They new modelled their militia—raised regular troops—fortified the harbors—and crushed the tory parties among them.—Success fired the Americans with a spirit of enterprize.

In the mean time, the king passed such other edicts as, adding to the calendar of injuries, widened the civil breach, and narrowed the band of the American union. And such supplies were, from time to time, sent for the relief of Boston, as not in any degree sufficient to enable general Gage to raise the siege; answered no other ends but to increase the number, heighten the spirit, advance the discipline of the American army, and to cause every member of the union to exert every ability to procure arms and ammunition from abroad. Thus trained on evidently by the Almighty, these troops, reproached by general Gage when they first sat down before Boston, that "with a preposterous parade of military arrangements, they affected to hold the army besieged," in less than eleven months compelled that British army, although considerably reinforced, to abandon Boston by stealth, and to trust their safety, not to their arms, out to the winds. The British ministry have attempted to put a gloss upon this remove of their army: However, the cannon, stores and provisions

they left in Boston, are in our hands, substantial marks of their flight.

Thus there appears to have been a fatality in their counsels respecting Boston, the grand seat of contention; their forces being inadequate to the enterprize on which they were sent: And under the same influence have their attacks been directed against Virginia and North Carolina, Savannah and this capital. Such a *series* of events is striking! It surely displays an over-ruling Providence that has confounded the British counsels, to the end that America should not have been at first shackled, and thereby prevented from acquiring a knowledge of, and confidence in her strength, to be attained only by an experimental trial and successful exertion of it, previous to the British rulers doing acts driving her, either into slavery or independence.—The same trace of an over-ruling Providence is evident throughout the whole transaction of the English revolution of 1688. King James received early information of the prince of Orange's intention to invade England; and Louis the XIV. offered the king a powerful assistance. But his counsels were confounded from on high: He paid little attention to the first—he neglected the last. The winds blew, and how opportunely have they aided us; the winds detained James's fleet at anchor; while they, *directing* the course of the prince, enabled him without any loss to land in England, at a time when no person thought of a revolution, which was destined to take place within but a few weeks. Unexpected, wonderful and rapid movements, character the British and American revolutions: They do not appear to have been premeditated by man. And from so close a similitude, in so many points, between the two revolutions, we have great reason to hope that the American, like the British, will be stable against the tyrant.

As I said before, in my last charge, I drew a parallel between the causes which occasioned the English revolution, and those which occasioned our local revolution in March last; and I examined the famous resolution of the lords and commons of England at Westminster, declaring the law upon James's conduct. The two first points of it applied to our own case in the closest manner, and in applying the third, treating of James's withdrawing, I pointed out that the abdication of the regal government among us, was immediately effected, not only by the withdrawing of the regal substitute, with the ensigns of government, but that king George had withdrawn himself, "by withdrawing the constitutional benefits of the

kingly office, and his protection out of this country." Thus couching my thoughts upon the article of the withdrawing, in order that the parallel should be continued throughout as close as the subject would admit, without attempting to extract the essence from the substance of the resolution, to demonstrate that such a parallel was not necessary: A mode which, the subject being new, might not then perhaps have been so generally satisfactory. But, as the American revolution leads me again to mention that resolution, which in the strongest manner justifies it, I make no scruple now to say, that the resolution, though appearing to point out several kinds of criminality, yet has only one idea thus variously represented.

"Resolved, That king James the second *having endeavored to subvert* the constitution of the kingdom, by breaking the original contract between king and people; and, by the advice of Jesuits and other wicked persons, *having violated* the fundamental laws, and *having withdrawn himself* out of the kingdom, has abdicated the government, and that the throne is thereby vacant."

But, before I make any further observation upon this resolution, allow me to shew you the sense of Scotland in the last, and of America in the present century, touching an abdication of government; and you will find, that the voice of nature is the same, in either extremity of the globe, and in different ages.

The estates of Scotland having enumerated king James's mal-administration, and in which there was no article of withdrawing, they declared, that "thereby he had forefaulted the rights of the crown, and the throne was become vacant."—And the representatives of the United States of America, stating their grievances under king George the third, decreed, that "he has abdicated government here, by declaring us out of his protection, and waging war against us." And that "a prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people."

Thus in each case it is apparent, the abdication or forefaulting took place from but one and the same cause—the *failure of protection*: And this is the single idea that, I apprehend, is in the resolution of Westminster. Search to understand, what is a breach of the original contract—what a violation of the fundamental laws wherein consisted the criminality of James's withdrawing? Your enquiry must terminate thus—*a failure of protection*.—Independent of the nature of the subject, the

History of that time warrants this construction upon the withdrawing in particular. For, upon James's first flying from Whitehall, quitting the administration without providing a power to protect the people, he was considered by the prince of Orange, and the heads of the English nation, as having then absolutely abdicated the government, and terminated his reign; and they treated him accordingly upon his sudden return to Whitehall, from whence he was immediately ejected. In short, a failure of protection being once established, it necessarily includes, and implies a charge of a breach of original contract—a violation of fundamental laws—and a withdrawing of the king: I do not mean the individual person, but the officer so called. For the officer being constituted to dispense protection, and there being a failure of it, it is evident, *prima facie*, that the officer is withdrawn; and in reality, because the law will not admit that the officer can be present and not dispense protection, as the law ascribes to the king in his political capacity absolute perfection; and therefore it will intend a withdrawing and abdication, in exclusion of any idea of his being present and doing wrong. Protection was the great end for which mankind formed societies. On this hang all the duties of a king. It is the one thing needful in royalty.

Upon the whole, what is civil liberty, or by what conduct it may be oppressed, by what means the oppression ought to be removed, or an abdication or forfeiting of the government may be induced, cannot precisely be ascertained, and laid down as rules to the world. Humanity is interested in these subjects. Nature alone will judge; and she will decide upon the occasion without regard to precedent. In America, nature has borne British oppression so long as it was tolerable; but there is a load of injury which cannot be endured. Nature felt it. And the people of America, acting upon natural principles, by the mouths of their representatives in congress assembled, at Philadelphia, on the fourth day of July last, awfully declared—and revere the sentence!—"That these United Colonies are, and of right ought to be, free and independent states, that they are absolved from all allegiance to the British crown; and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved."

A decree is now gone forth, not to be recalled! And thus has suddenly arisen in the world, a new empire, styled the United States of America. An empire that as soon as started into existence,

attracts the attention of the rest of the universe, and bids fair, by the blessing of God, to be the most glorious of any upon record.—America hails Europe, Asia and Africa!—She proffers peace and plenty!

This revolution, forming one of the most important epochs in the history, not of a nation, but of the world, is, as it were, an eminence from which we may observe the things around us. And I am naturally led to explain the value of that grand object now in our possession and view—to state the American ability by arms to maintain the acquisition—and to shew the conduct, by which a patriotic grand jury may aid the establishment of our infant empire.

To make men sensible of the value of the object now in our possession, we need no ingenuity of thought, or display of eloquence. To him who doubts of the meridian sun, it is sufficient to point to it. So in the present case, as well to demonstrate the value of the object as the justice of our claim to it, we need only hold it up to view.—It is, to MAINTAIN AMONG THE POWERS OF THE EARTH, THE SEPARATE AND EQUAL STATION TO WHICH THE LAWS OF NATURE AND OF NATURE'S GOD ENTITLE US.—A few months ago we fought only to preserve to the laborer the fruits of his toil, free from the all-coveting grasp of the British tyrant, *alieni appetens, sui profusus*, and to defend a people from being, like brute beasts, bound in all cases whatsoever. But these two last ingredients to make life agreeable, are now melted into, inseparably blended with, and wholly included in the first, which is now become THE OBJECT for which America, *ex necessitate*, wars against Britain—And I shall now point out to you the continental ability, by arms, to maintain this invaluable station.

When, in modern times, Philip of Spain became the tyrant of the low countries in Europe, of seventeen provinces which composed those territories, seven only effectually confederated to preserve their liberties, or to perish in the attempt. They saw Philip the most powerful prince in the old world, and master of Mexico and Peru in the new—nations, incessantly pouring into his territories floods of gold and silver. They saw him possessed of the best troops, and the most formidable navy in the universe; and aiming at no less than universal monarchy!—But these seven provinces, making but a speck upon the globe, saw themselves without armies, fleets, or funds of money: yet seeing themselves on the point of being by a tyrant bound in all cases whatsoever, nobly relying upon Providence and the justice of their cause, they resolved

to oppose the tyrant's whole force, and at least *deserve* to be free. They fought, they bled, and were often brought to the door of destruction.—**THEY REDOUBLED THEIR EFFORTS IN PROPORTION TO THEIR DANGER.** And the inhabitants of that *spect* of earth, compelled the master of dominions so extensive, that it was boasted the sun was never absent, to treat with them as a free and independent people!

For a moment, and with the aid of a fearful imagination, let us suppose that the American states are now as defenceless as the Hollanders then were; and that the king of Great Britain is now as powerful as Philip then was. Yet even such a state of things, could not be a plea for any degree of submission on our part. Did not the Hollanders oppose their weakness to the strength of Spain? Are not the Americans engaged in as good a cause as the Hollanders fought in? Are the Americans less in love with liberty than the Hollanders were? Shall we not in this, a similar cause, dare those perils that they successfully combated? Shall we not *deserve* freedom!—Our past actions presage our future achievements and animate us in our military efforts for "peace, liberty and safety."—But see the real powers of Great Britain.

Staggering beneath the load of an enormous debt, the very annual interest of which, in the year 1775, amounted to upwards of four millions eight hundred and eighty thousand pounds sterling, Great Britain scarcely supports the weight which is yet rapidly increasing. During the present year, she prosecutes the war at a charge of more than nineteen millions sterling, incurred by actual expenses, and by loss of revenue in consequence of the war. Her trade, her only resource for money, is now in a manner destroyed; for her principal trade, which was to this continent, is now at an end; and she sustains heavy, very heavy, losses by the American captures of her West India ships. Her manufactures are almost at their last morsel. Her public credit is certain to fail even by a short continuance of the war. Her fleets are not half manned. And she is so destitute of an army, that she is reduced to supplicate even the petty German princes for assistance; and thinks it worth her while to make a separate treaty to procure only 668 men!—*a last effort to form an army in America.*—But, after all this humiliating exertion, she has *even upon paper* raised a German army of only 16,868 men who, with about 14,000 national troops and a few Hanoverian regiments, compose the whole military force that she can collect for the American service. Nay, so arduous a task

was even this, that her grand army of but 26,000 men, could not open the present campaign before the end of August last—Add to these particulars, the troops are unaccustomed to the sudden vicissitudes of the American climate and the extremes of cold, heat, and rain. They cannot proceed without camp equipage, because they are used to such luxuries. The very scene of their operations is a matter of discouragement to them, because they know not the country; and for their supplies of men, stores and the greatest part of their provisions, they must look to Great Britain—and there is a vast abyss between.—Hence their supplies must be precarious at best; and failing, they may be involved in ruin. A check may affect them as a defeat—a defeat in battle may annihilate their very army.—Such seems to be the situation of Great Britain, while *only* the American war is on her hands. But do we not see **FRANCE** and **SPAIN**, her *inveterate* enemies, now watching for the critical moment when they shall swallow up her West India islands! When this crisis appears, which, from the now quick arrivals of French vessels in America, and from the forces already collected, and others now daily poured into the islands by those powers, cannot be far distant, what will be the situation of Great Britain!

On the other hand, America is possessed of resources for the war, which appear as soon as enquired after; are found only by being sought for; and are but scarce imagined even when found. Strong in her union, on each coast and frontier she meets the invaders, whether British or Indian savages, repelling their allied attacks. The Americans now live without luxury. They are habituated to despise their yearly profits by agriculture and trade. **THEY ENGAGE IN THE WAR FROM PRINCIPLE.** They follow their leaders to battle with personal affection. Natives of the climate, they bear the vicissitudes and extremities of the weather.—Hardy and robust, they need no camp equipage, and they march with celerity. The common people have acute understandings; and there are those in the higher stations, who are acquainted with the arts and sciences, and have a comprehensive view of things equally with those who act against them. In short, the American armies meet the war where they may be constantly recruited and subsisted; comforted by the aid of their neighbors, and by reflections upon the justice of their cause; and animated by seeing, that they are arrayed in the defence of all that is, or can be, dear to them.

From such a people every thing is to be hoped for, nothing is to be doubted of. Such a people,

though young in the practice of war, ever were superior to veteran troops. To prove this, shall I direct your attention to Europe, Asia and Africa, in their histories to point out to you numberless instances of this sort? No, gentlemen, America now attracts the eyes of the world: she deserves our whole attention—let us not search abroad, and in remote or modern times, for instances of such a kind as we can find at home and in our own day. Need I mention that such a people, young in the art of war, beat veteran troops at Lexington; slaughtered them at Bunker's-hill; and drove them out of Boston! or remind you of Sullivan's-Island, where, in an unfinished wooden fort, on a flat coast, such men, during 11 hours, and at the distance of 500 yards, stood the whole and unintermitted fire of a British squadron of 2 ships of the line, 5 frigates and a bomb; and, with 15 pieces of cannon, caused the enemy to burn one of their largest frigates, and to fly with the rest of the squadron, in a shattered condition, from before our capital!

Such a contrasted state of the powers of America and of Britain is, I apprehend, a just representation of their abilities with regard to the present war; and if America behaves worthy of herself, I see no cause to fear the enemy. However, in such a conflict, we ought to expect difficulties, dangers and defeats. "What, shall we receive good at the hand of God, and shall we not receive evil?" Job's perseverance in his duty under every calamity, at length raised him to the height of human felicity; and, if we are firm, even our defeats will operate to our benefit. Let us remember, that it was to the danger in which the Roman state was reared, that she owed her illustrious men and imperial fortune. The Roman dignity was never so majestic; her glory never so resplendent; her fortitude and exertions never so conspicuous and nervous, as when Hannibal, in the successive battles of Trabia, Thessymenus and Cannæ, having almost extirpated their whole military force, the very state was on the brink of dissolution—the Romans deserved—and they acquired victory!

And now, gentlemen of the grand jury, having in this manner considered the nature of the American revolution upon circumstances of fact, and principles of law, I am to mark the conduct which you ought to pursue, and which will enable you to aid the establishment of our infant empire. But, that I may naturally introduce this subject, I shall first state and explain to you, the principal articles of the enquiry which you are sworn to make on the part of the state, and for the body of this dis-

trict; and these articles I shall arrange under two heads. The one relating to crimes and misdemeanors, immediately injurious to individuals—the other relating to such as are injurious to the state.

Those criminal injuries that affect individuals, respect either their persons, habitations, or property. Of these injuries the most important are such as effect the person; and of such, the act depriving the person of life is the most enormous.

In the contemplation of law, every taking of life is a homicide; and, according to the particular circumstances of each case, this homicide is purely voluntary, including the cases of felony, as self-murder, murder respecting another, and manslaughter: Or, the homicide is purely involuntary, as *per infortunium*, misadventure: Or, of a mixed kind, *ex necessitate*; as *se defendendo* inducing a forfeiture; or being under the requisition or permission of law and not inducing any: And thus, homicide is either justifiable, excusable or felonious.

It is justifiable in all cases *ex necessitate*; as when life is taken by the legal execution of a criminal; or for the advancement of justice; or for the prevention of some atrocious crime.

It is excusable in cases *per infortunium*, misadventure; as when life is taken by the doing a lawful act without any evil intention: So in cases *se defendendo*; as a man being attacked without any provocation on his part, and having *bona fide* retreated as far as he safely could, when for self-preservation he kills the aggressor. And although this last arises *ex necessitate*, and it would therefore seem to be rather justifiable than excusable, yet the law intitles it *necessitas culpabilis*, and thereby distinguishes it from the other. For the law so highly respects the life of a man, that it always intends some misbehavior in the person who takes it away without an express legal command or permission.

But homicide is felonious in all cases of manslaughter, murder, and self-murder. In cases of manslaughter, as killing another without any degree of malice, and this killing may be either voluntary by a sudden act of revenge on a sudden provocation and heat, or it may be, yet not strictly so, involuntary, being in the commission of some unlawful act under the degree of felony; for this killing being the consequence of the unlawful act voluntarily entered upon, the law, because of the previous intent, will transfer this from the original to the consequential object.

In cases of murder; as killing another person, *ex malitia præcogitata*: And here it is necessary

that I particularly explain what the law considers as malice prepense.—Malice prepense then, is an inclination of the mind, not so properly bearing ill-will to the person killed, the commonly received notion, as containing *any evil design*, the dictate of a wicked and malignant heart.—The discovery of this secret inclination of the mind must arise, because it cannot any otherwise, only from the external effects of it; and by such evidence, the malignity of the mind is held either express in part or implied in law.—Thus, malice prepense is held to be express in fact, when there is evidence of a laying in wait; or of menacings antecedent, grudges, or deliberate compassings to do some bodily harm. Even upon a sudden provocation, the one beating or treating another in an excessive and cruel manner, so that he dies, though he did not intend his death, the slayer displays an express *evil design*, the genuine sense of malice. This is evidence of a bad heart; and the act is equivalent to a deliberate act of slaughter. So any willful action, likely in its nature to kill, without its being aimed at any person in particular: For this shews an enmity to all mankind. So if two or more come to do any felony, or any unlawful act, the *probable* consequence of which *might* be bloodshed, and one of them kills a man, it is murder in them all, because of the unlawful act, the *malitia precogitata*, or *evil intended*.—But malice prepense is held to be implied in law, when one kills an officer of justice in the execution of his office, or any person assisting him, though not specially called. Or when without sufficient provocation, and no affront by words or gestures only is a sufficient provocation, a man suddenly kills another. Or when, upon a chiding between husband and wife, the husband strikes the wife with a pestle or other dangerous weapon, and she presently dies. These and similar instances, are evidences of a malice prepense on the part of the slayer; and he shall be held guilty of murder.—In cases of self-murder, there must be a voluntary and deliberate putting an end to one's existence; or doing some unlawful malicious act, the consequence of which is his own death. In a word, all homicide is *presumed* to be malicious, until the contrary is made to appear in evidence.

There is a regular gradation of importance in the component parts of the universal system; and, therefore, there must be a scale marking the degrees of injury. We have examined the highest injury that can be committed or perpetrated upon the person of an individual—let us now turn our attention to such injuries against the person, as are of an inferior nature.

Of these the first in degree is mayham, which is the cutting out, with malice prepense, or disabling the tongue, putting out an eye, slitting the nose, cutting off a nose or lip, or depriving another of the use of such of his members as may render him the less able to defend himself, or annoy his adversary. The next is rape. Then the infamous crime against nature. These are felonies. But there are yet other injuries against the person which, being of a less flagrant degree, are, by the tenderness of the law, described under the gentler term of misdemeanors. Such are assaults, batteries, wounding, false imprisonment, and kidnapping. Here, in a manner, terminates the scale of injuries against the person: We will now state such as may be perpetrated against his mansion, or habitation.

By the universal consent of all ages, the dwelling house of man, was and is endowed with peculiar immunities and valuable privileges. Among the ancients, if even an enemy reached the fire-place of the house, he was sure of protection. Thus we find Coriolanus at the fire-place of Tullus Aufidius, chief of the Volscian nation, discovering himself to Aufidius, his public and private enemy, and supplicating and receiving his protection against Rome from whence he was banished. And, on this subject of a dwelling, Cicero, the great Roman lawyer, orator and statesman, thus pathetically expresses himself: "What is more inviolable, what better defended by religion than the house of a citizen? Here are his altars, here his fire hearths are contained—this place of refuge is so sacred to all men, that to be dragged from thence is unlawful." In like manner we find, that at Athens the habitation was particularly protected by the law: Burglary was there punished with death, altho' theft was was not. And our law hath so special a regard to a man's dwelling house, that it terms it his castle, and will not suffer it to be violated with impunity. The law ranges the injuries against it under two heads—arson, and hamesecken or housebreaking: And, this last it divides into legal or proper burglary, which is nocturnal house breaking, and house-breaking by day.

Arson is an injury that tends by fire to annihilate the habitation of another person, or other house, that being within the outillage or homestead, may reasonably be esteemed a parcel of it, though not contiguous. So a barn in the field, with hay or corn in it. But this injury by fire, must be done with a malicious intent, otherwise it is only trespass.

Burglary, is a breaking and entering in the night

time, the mansion house of another, with intent to commit some felony therein, whether the felonious intent be executed or not: And all such houses are the objects of burglary, and of housebreaking, as are described in the case of arson.

But, to violate this place of protection in the day, by robbing therein, and putting any dweller in fear, although there be no actual breach of the house; or by breaking and robbing in the house, a dweller being therein, and not put in fear; or by robbing and breaking the house, actually taking something, none being in the house; or by feloniously taking away something to the value of 35*l.* currency, or upwards, no person being in the house; or by breaking the house with intent to commit a felony, any person being in the house and put in fear, though nothing be actually taken—any such violation is called housebreaking—a crime not of so atrocious a nature as burglary. For, in the contemplation of our law, as well as of all others, violence perpetrated in the night, are of a more malignant tendency than similar ones by day: Because, attacks in the night occasion a greater degree of terror; and because, they are in a season by nature appropriated to the necessary rest and refreshment of the human body, which is then, by sleep, disarmed of all attention to its defence.

With respect to injuries against a man's personal property, they are to be considered under three heads. Larceny, malicious mischief, forgery. And larceny, the first of these, is either simple or mixt.

Simple larceny, or common theft, is a felonious and fraudulent taking and carrying away the mere personal goods of another—here no violence or fear is implied. If goods so taken are above the value of seven shillings currency, the offence is termed *grand larceny*: But if they are not exceeding that value, the act is *petit larceny*. Mixt larceny has in it all the ingredients of simple larceny; but it is aggravated by a taking from the house or person; and this taking is yet aggravated if it is under the impression of violence or fear. Such a taking in the house, with or without violence or fear, may or may not fall within the crimes of burglary or housebreaking, according to the circumstances. And such a taking from the person, without, or with violence or fear, will be but simple larceny in the first case; in the other, it is a robbery, and the value is of no consideration.

Malicious mischief is a species of injury that bears a near relation to the crime of arson. A

dwelling is the object of arson; but other property is the subject for malicious mischief to operate upon; and indeed this spirit of wanton cruelty has a wide field of action. This horrible spirit displays itself by burning or destroying the property of another, as a stack of rice, corn or other grain; or any tar kiln, barrels of pitch, turpentine, rosin or other growth, product or manufacture of this state: or killing or destroying any horses, sheep or other cattle.

At length the crime of forgery, concludes the calendar of public offences against the property of an individual; I need only define the crime: It is a fraudulent making or alteration of a writing to the prejudice of another person.

Having, in this manner marked, out to you the distinguishing features of the principal crimes and injuries against the person, habitation and property of an individual, I now desire your attention, and I shall not long detain it, while I delineate those against the state; objects which ought most carefully to be observed wherever they appear. I have purposely thus reserved this subject, as well because it is of the most important nature, and virtually includes the other, as that by being the *last* described, you may be the *more likely* to retain the impression of it. Every outrage and violence against the person, habitation or property of an individual, is a crime, a misdemeanor, or a contempt, and therefore an injury against the state, bound by original compact to protect the individual in his rights. For no man, conceiving himself injured, has any authority, or shadow of it, to redress himself; because the state has established courts which are *judices injuriarum*. Hence, every criminal injury against the individual must ultimately wound the state; and be included in the offences against the body politic, which must be more important in their nature than those relating to the individual, because they are more extensive, and of a higher degree of criminality. It behoves you therefore to watch for the public safety; for this is to be attentive to your private security.

It is not by any means necessary that I trace these crimes, as they are branched by the law. The present public service requires your immediate particular attention to offences done against only four acts of assembly—the patrol and negro laws—the law against counterfeiting the certificates issued by the late houses of assembly, or the currency issued by the congress of the continent or of this country—and, the law to prevent sedition, and to punish insurgents and disturbers of the public peace.



The two first laws are calculated to keep our domestics in a proper behavior. The two last were expressly formed as two pillars to support our new constitution; and therefore, these last are your most important objects.—I shall fully explain them.

The act against counterfeiting extends to all persons who counterfeit, raise or alter, or utter, or offer in payment, knowing the same to be counterfeited, raised or altered, any certificate or bill of credit, under the authority of the late commons house of assembly, or the congresses of this country, or of the continent.

The law to prevent sedition guards against those actions as, in such a crisis as this, might reasonably be expected to operate against our present honorable and happy establishment. And the variety and importance of those actions, make it necessary for me to particularize them to you.

This salutary act touches all persons taking up arms against the authority of the present government; or who, by violence, words deeds or writing, cause or attempt to cause, induce, or persuade any other person to do so. In like manner, all persons who give intelligence to, or hold correspondence with, or aid or abet any land or naval force sent by Great Britain, or any other force or body of men within this state with hostile intent against it. So those who compel, induce, persuade or attempt to do so, any white person, Indian, free negro, or slave, to join any force under authority derived from Great Britain. And so all persons who collect, or procure them to be assembled, with intent in a riotous and seditious manner, to disturb the public peace and tranquility; and by words, or otherwise, create and raise traitorous seditions or discontents, in the minds of the people against the public authority.

Thus having stated to you such criminal injuries against an individual, or the state, as may be most likely to come within your notice, it is a natural consequence, that I describe the person by law held capable of committing such injuries.

In the first place, the party must be of sound memory at the time of committing the offence, and it is the leading principle in every case. If the party is under seven years of age, no evidence can possibly be admitted to criminate; because, the law holds, that the party cannot discern between good and evil. But if the accused is above seven, and under fourteen, he is liable to be criminated, if at the time of his committing the injury, his understanding was so ripe as to occasion him

to shew a consciousness of guilt, the rule being *malitia supplet aetatem*. And if the party is of the age of fourteen, which is the age of discretion, the law *primu facie* considers him capable of committing offences as a person of full age. Also a lunatic for crimes perpetrated in a lucid interval. Also a man for crimes done in a state of drunkenness voluntarily contracted; and so far is this artificial insanity from excusing, that it tends to aggravate the offence.

All those particulars relating to the person, habitation and property of an individual; those respecting the safety, peace and tranquility of the state; and these describing the perpetrator of criminal injuries, are so many proper heads for your diligent enquiry: And such offenders and offences being within your knowledge, you must make due presentment of them. You are to hear evidence only on the part of an information to you of an offence; for an indictment by you is only in the nature of a solemn and public accusation, which is afterwards to be tried and determined by others: You are only to examine, whether there be sufficient cause to call upon the party to answer. Twelve of you, at least must agree in opinion, that the accused ought to undergo a public trial—so twelve other jurors are to declare him innocent or guilty.—Happy institutions! whereby no man can be declared a criminal, but by the concurring voices of at least four and twenty men, collected in the vicinage by blind chance, upon their oaths to do justice; and against whom, even the party himself has no exception!

Thus, gentlemen of the grand jury, with the best intentions for the public service, however executed, having declared to you, that you are not *bound* under, but *freed* from the dominion of the British crown, I thought myself necessarily obliged, and I have endeavored to demonstrate to you, that the rise and fall of empires are natural events—that the independence of America was not, at the commencement of the late civil war, or even at the conclusion of the last year, *the aim of the Americans*—that their subjection to the British crown, being released by the action of *British oppression*, the stroke of the *British sword*, and the tenor of a *British act of parliament*, their *natural rise to empire was conducted by the hand of God!*—that the same strong hand, by proceedings equally unexpected, wonderful and rapid as in our case, conducted the English revolution of 1688—that the revolutions in England and Scotland at that period, and in America now, giving a new epocha to the history of the world, were founded in the same

immediate cause; a failure of protection—that those revolutions concurred in *one grand evidence* of the feelings of nature on such a subject—that every species of mal-administration in a king is to be traced to a failure of protection, which is the only instrument working his abdication—that the object for which we contend, is *just* in its nature and of *inestimable* value—that the American revolution may be supported with the fairest prospect of success by arms—and that it may be powerfully aided by a grand jury.

Gentlemen, I do most cordially congratulate you, placed as you are in a station, honorable to yourselves, and beneficial to your country. Guardians of the innocent, you are appointed to send the robber, the murderer, the incendiary and the traitor to trial. Your diligence in enquiring for such offenders, is the source of your own honor, and a means of your country's safety, and although no such offenders be found, your laudable search will yet tend to curb a propensity to robbery, murder, sedition and treason. See, gentlemen, what great advantages may result from your vigilant and patriotic conduct! Your ears ought to be *shut* to the petitions of friendship, and to the calls of consanguinity—but they ought to be *expanded* to receive the complaints of your injured country, and the demands of impartial justice. Brutus inflicted upon his sons the *ultimum supplicium* for conspiring to re-establish the regal government in Rome. And, if a similar occasion should arise in America, which God forbid, I trust a Brutus will not be wanting! Let those, if there are any such, who treacherously or pusillanimously hanker after a return of regal government, remember such things and tremble.—Let us ever remember, rejoice and teach our children, that the American empire is composed of states that are, and of right ought to be, free and independent; “that they are absolved from all allegiance to the British crown; and that all political connection between them and the state of Great Britain, is and ought to be TOTALLY DISSOLVED.

#### THE PRESENTMENTS OF THE JURY.

##### SOUTH-CAROLINA.

*At a court of GENERAL SESSIONS OF THE PEACE, OPEN AND TERMINED, ASSIZE AND GENERAL GAOL DELIVERY, begun to be held at Charleston, for the district of Charleston, on Tuesday, October 15th, in the year of our Lord one thousand seven hundred and seventy-six.*

*Presentments of the grand jury for the said district.*

I. It is with most cordial satisfaction we embrace this opportunity of offering our congratulations on the late declaration of the continental congress,

constituting the united colonies of North America independent states; an event, however once dreaded as repugnant to those hopes of peace and friendship with the British state, which was then ardently entertained, yet which every American must now most joyfully embrace, as the only happy means of salvation and security, and the surest prevention to the treacherous and cruel designs of a wicked and detestable enemy.

II. As the kind and beneficent hand of a wise and bounteous Providence has so ordered and disposed of human events that, from calamities which were dreaded as the most miserable and destructive to America, benefits, the most advantageous, honorable and desirable have arisen to her, which now gives a very joyful prospect to liberty and happiness—we think our grateful sense of such peculiar care and protection cannot be manifested in a way more acceptable and proper than in a strict regard to the duties which mankind owe to their God.

III. We present the growing evil of many churches established by law falling to decay, and some remaining without ministers to perform divine service, in divers parishes in this district, by which means the spirit of religion will decline, and become prejudicial to the manners of the people.

IV. We present and recommend a proper militia law to be made, in such manner as to compel impartially and equally all degrees of persons liable to do the duty therein required, so as to enable the good people of this state (who are now become principally the guardians thereof) to repel any domestic or foreign enemy as far as possible.

V. We present and recommend, that care may always be had, that none but gentlemen of weight and influence, and good example, be prevailed on to qualify and act in the commission of peace, by whose influence licentiousness, sedition and profligacy may be suppressed, and good order maintained.

VI. We present and recommend, that some office may be created in this district, whereby executions and sales by the sheriff may be recorded, so that, on the death or removal of the sheriff, recourse may be had to such records by those concerned.

VII. We present and recommend, that Jews and others may be restrained from allowing their negroes to sell goods in shops, as such a practice may induce other negroes to steal and barter with them

VIII. We present the ill practice of Jews opening their shops and selling of goods on Sunday, to the profanation of the Lord's Day.

IX. We present the barrack master Philip Will, for seizing of firewood on the wharves, under pretence of the public, when he applies the same to his own use, to the distressing of the inhabitants. By information of Mr. Patrick Hinda, one of the grand jurors.

X. We present the want of more constables in this district, we being informed that there are only four in this town.

XI. We return our thanks to his honor, the chief justice, for his excellent charge delivered at the opening of the sessions, and desire that the charge and these presentments be forthwith printed and published.

<i>Joseph Glover, foreman,</i>	[L. s.]
<i>Benjamin Baker,</i>	[L. s.]
<i>Benjamin Dart,</i>	[L. s.]
<i>John Fullerton,</i>	[L. s.]
<i>Christopher Fitzsimons,</i>	[L. s.]
<i>William Hopton,</i>	[L. s.]
<i>William Hale,</i>	[L. s.]
<i>Patrick Hinda,</i>	[L. s.]
<i>Charles Johnston,</i>	[L. s.]
<i>Andrew Lord,</i>	[L. s.]
<i>John Miles,</i>	[L. s.]
<i>William Russel,</i>	[L. s.]
<i>Stephen Townsend.</i>	[L. s.]

#### ANOTHER—BY THE SAME.

##### SOUTH CAROLINA.

At a court of GENERAL SESSIONS OF THE PEACE, OVER AND TERMINER, ASSIZE AND GENERAL GAOL DELIVERY, begun and holden at *Charleston*, for the district of *Charleston*, the 21st October, 1777, before the honorable WILLIAM HENRY DRAYTON, esq. chief justice, and his associates, justices of the said court.

ORDERED, That the political part of his honor, the chief justice's charge to the grand jury, together with their presentments be forthwith printed and published.

By the court,

JOHN COLCOCK, C. C. S.

##### THE POLITICAL PART OF THE CHARGE.

*Gentlemen of the grand jury.*—Being but just returned from the house of God, we are, I trust, sanctified to enter upon the most important civil duties, and possessed of the favor of Heaven, to aid us in our endeavors faithfully to discharge our respective functions. At present, it is your part attentively to listen to me—it is mine to discourse

of those points immediately relative to your duty in this court, and of such things as may enable you, when you shall return into your vicinage, in a more enlarged manner to support the laws and freedom of your country. The occasion of our meeting demands the first—the present crisis of public affairs requires the last, and I flatter myself your time will neither be disagreeably nor unprofitably occupied. Let me therefore begin with laying before you some considerations aimed to support the freedom of your country; such are ever uppermost in my thoughts.

Do you seriously think of the great work in which you, in conjunction with the rest of *America*, are engaged? You ought to do so without ceasing, and to act with a corresponding vigor. For, beyond all comparison, the work is the most stupendous, august, and beneficial of any extant in history. It is to establish an asylum against despotism: of an entire world to form an empire, composed of states linked together by consanguinity, professing the same religion, using the same language and customs, and venerating the same principles of liberty. A compounded political cement, which, in the formation of the grand empires upon record, no political architects but ourselves ever possessed—a cement prepared to our hand by the Great Constructor of the universe; and for the best of purposes.

Formed to enjoy, “among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle us,” by an unexpected and unprovoked declaration of the king and parliament of *Britain*, that the inhabitants of *America*, having no property nor right, were by them to be bound in all cases whatsoever—by their sending a military force to compel us to submit to that declaration—by their actual seizure of our property—by their lighting conflagrations in our land—perpetrating rape and massacre upon our people, and finally releasing us from our allegiance, by announcing to us, on the twenty-first day of December, 1775, that we were by themselves placed out of their protection—*America* has been compelled to step into that station which, I trust, we are willing, and which, I am convinced, with the blessing of God, we are able to maintain.—My dear countrymen, turn your attention to the transactions of the last twelve months, and be convinced, that our cause is the peculiar care of Heaven.

Human policy at best is but short sighted; nor is it to be wondered at, that the original formation of the continental army was upon an erroneous principle. The people of *America* are a people of

property; almost every man is a freeholder. Their supreme rulers thought such men, living at ease in their farms, would not become soldiers under long enlistments; nor, as all that was then aimed at was a redress of grievances, did they think there would be occasion for their military services, but for a few months. Hence the continental army was formed upon short enlistments—a policy that unexpectedly dragged *America* back to the door of slavery. As the times of enlistments expired the last year, the *American* army decreased in power, 'till it possessed scarce any thing but its appellation. And *Washington*, a name which needs no title to adorn it, a freeman above all praise, having evacuated *Long-Island* and *New-York* to a far superior force, having repeatedly baffled the enemy at the *White Plains*, who, quitting that scene of action, suddenly took fort *Washington* (*Nov. 16*) and bending their course to *Philadelphia*, he, with but a handful of men, boldly threw himself in their front, and opposed their progress. With a chosen body of veterans, who had no near prospect of discharge, it is a difficult operation to make an orderly, leisurely and effectual retreat before a superior enemy; but with *Washington's* little army, not exceeding four thousand men, raw troops, who had but a few weeks to serve, to make such a retreat, for eighty miles, and through a populous country, without being joined by a single neighbor, a most discouraging circumstance, nothing in the whole science of war could be more difficult; yet it was most completely performed. *Washington* caused the *Delawares* to bound the enemy's advance. He summoned general *Lee* with the corps under his command to join him. That veteran, disobeying his repeated orders, for which I presume rigid inquisition is yet to be made, loitering when he should have bounded forward—he allowed himself to be surprized and made a prisoner, (*Dec. 13,*) at a distance from his troops. *Washington*, in the abyss of distress, seemed to be abandoned by his officer next in command—by the *Americans* themselves, who seemed appalled at the rapid progress of the enemy. Rape and massacre, ruin and devastation indiscriminately overwhelmed whigs and Tories, and marked the advance of the *British* forces. The enemy being but a day's march from *Philadelphia*, the quakers of that city, by a public instrument, dated the 20th of *December*, declared their attachment to the *English* domination—a general defection was feared—the congress removed to *Baltimore*—*American* liberty evidently appeared as in the last convulsive agony!

*Washington* was now at the head but of about

2,500 men; their time of service was to expire in a few days, nor was there any prospect that they could be induced to stay longer. This, such as it was, appeared the only force that could be opposed to the *British*, which seemed to halt only to give time to the *American* vigor to dissolve of itself, and display us to the world as an inconstant people, noisy, void of public virtue and even shame. But, it was in this extremity of affairs, when no human resource appeared in their favor, that the Almighty chose to manifest his powers to shew the *Americans* that he had not forsaken them; and to convince the states that it was by him alone they were to be maintained in their independence, if they deserved to possess it.

Like *Henry* the fourth of *France*, one of the greatest men who ever lived, *Washington*, laying aside the generalissimo, assumed the partizan. He had but a choice of difficulties. He was even in a more desperate situation than that in which *Frederick* of *Prussia* was before the battle of *Torgau*; when there was no step which rashness dictated, but prudence advised him to attempt. The enemy were now in full possession of the *Jerseys*. A principal body of them were posted at *Trenton* on the *Delaware*: *Washington* occupied the opposite banks. His army, our only apparent hope, now somewhat short of 2,500 men, was to be disbanded in a very few days: he resolved to lead it to battle before that fatal period; and at least afford it an opportunity of separating with honor. He prepared to attack the enemy at the dawn of day, on the 26th of *December*. The weather was severe. The ice in the river prevented the passage of a part even of his small force. But with those (1,500 men) that he transported across the river, through a violent storm of snow and hail, he marched against the enemy. The unavoidable difficulties in passing the river, delayed his arrival at their advanced posts till eight in the morning. The conflict was short. About thirty of the *British* troops were killed; 600 fled, 909 officers and privates surrendered themselves prisoners, with six pieces of brass artillery and four pair of colors.

This brilliant success was obtained at a very small price—only two officers, and one or two privates wounded. In a word, the victory in effect re-established the *American* affairs. The consent of the victors to continue six weeks longer under their leader—and the elevation of the spirits of the people were its immediate consequences—most important acquisitions at that crisis. The enemy roused from their inactivity, and with a view of allowing *Washington* as little time as

possible to reap other advantages, they in a hurry collected in force, and marched against him. He was posted at *Trenton*. On the second of January the front appeared in the afternoon—they halted with design to make an attack in the morning; and in the mean time, a cannonade was begun and continued by both parties till dark. *Sanpinck* creek, which runs through *Trenton*, parted the two armies. Our forces occupied the south bank, and at night fires were lighted on both sides. At twelve, *Washington* having renewed his fires, and leaving guards on the passages over the creek, and about 500 men to amuse the enemy, with the remainder of his army, about one in the morning, he marched to *Princetown* to cut off a reinforcement that was advancing. He arrived at his destination by sun-rise, and dislodged them: they left upwards of 100 men dead on the spot, and near 300 more as prisoners to the victors.

It was by such a decisive conduct that the king of *Prussia* avoided being overwhelmed by a combined attack upon his camp at *Lignitz*, on the morning of the 15th of August, 1760, by three armies, led by *Daun*, *Loudohn* and *Caernichew*, who were advancing against him from different quarters. In the night the king marched, and in the morning, by the time *Daun* arrived at his empty camp, he had defeated *Loudohn* in his advance. So the *Roman* consul, *C. Claudius Nero*, dreading the junction of *Hannibal* and his brother *Asdrubal*, who was in full march to him with a powerful reinforcement, left his camp before *Hannibal*, with such an appearance as to persuade him he was present, and with the nerves and sinews of his army privately quitting it, he rapidly marched, almost the whole length of *Italy*, while *Rome* trembled at his steps, and joining the other consul, he defeated *Asdrubal*, who, had he with his forces joined his brother, had made him in all probability an over match for the *Romans*. Thus equal geniuses prove their equality, by wisely adapting their conduct to their circumstances.

The action at *Trenton* was as the making of the flood. From that period success rowled in upon us, with a spring tide. That victory gave us an army—the affair of *Princetown* procured us a force, and the re-possession of all the *Jerseys* but *Brunswick* and *Amboy*. For the enemy, astonished at *Washington's* vivacity, dreaded the loss of those posts in which they had deposited their stores, and ran back to hide themselves behind the works they had thrown up around them. *Washington* pursued, and by the fifth of January those forces

which, but a few days before, were in full possession of the *Jerseys*, he had closely confined to the environs of *Brunswick* and *Amboy*. In this situation both armies continued until the 13th of June last, when general *Howe* made an attempt to proceed to *Philadelphia*; but being baffled, he suddenly abandoned *Brunswick* (June 22) and in a day or two after *Amboy*, and retired to *Statensland*.

In the mean time general *Burgoyne* was advancing from *Canada* against *Ticonderoga*. He appeared before the place on the 28th of June—a day glorious to this country—and gen. *St. Clair*, who commanded in that important post, without waiting till the enemy had completed their works, or given an assault, to sustain which, without doubt, he had been sent there, suddenly abandoned the fortress and its stores to the enemy, (July 6th.) The public have loudly condemned this evacuation; and the congress have ordered strict enquiry to be made into the causes of it.

Gen. *Burgoyne* having thus easily possessed himself of *Ticonderoga*, immediately began to measure the distance to *New-York*. But being destitute of horses for his dragoons, waggons for the conveyance of his baggage, and in urgent want of provisions, he halted near *Saratoga*, to give time for the operation of the proclamation he had issued (June 23d) to assure the inhabitants of security, and to induce them to continue at home with their effects. But, regardless of public engagements (August 9th) he suddenly detached lieutenant col. *Baum*, with 1,500 men, and private instructions to strip the people of their horses, waggons and provisions; and gave “stretch” to his *Indians* to scalp those whom he had exhorted to “REMAIN QUIETLY AT THEIR HOUSES.”

Things now wore a dreadful aspect in that part of *America*: but general *Stark* soon changed the countenance of affairs. With a body of 2000 men, principally militia, he attacked (August 16th) lieutenant col. *Baum* at *Bennington*, stormed his works, killed about 200 of his men, took 656 prisoners, together with four brass field pieces and a considerable quantity of baggage; losing only about 30 men killed and 50 wounded. This successful attack at once rescued the country from massacre and ruin; and deprived general *Burgoyne* of those supplies that alone could enable him to advance: nor was it less important in respect to the time at which it was made. For at this juncture, fort *Stanwix* was hard pressed by gen. *St. Ledger*, who, having advanced from lake *Ontario*, had laid siege to it on the second of August. Gen. *Arnold*

had been preparing to march to its relief, and he had now full liberty to continue his rout. His near approach compelled the enemy with precipitation to raise the siege, (*Aug. 22*) leaving their tents, and a large part of their ammunition, stores, provision and baggage, nor did he lose any time in setting out in pursuit of them.

Such unexpected strokes utterly disconcerted general *Burgoyne*. Our militia began to assemble in considerable numbers. He now anxiously cast his eye behind to *Ticonderoga*; and wished to trace back his steps. But while gen. *Gates* was advancing against his front, at *Still-Water*, with a superior force, the fruit of *Bennington* and *Stanwix*, a part of the *American* troops had occupied the posts in his rear, and were penetrating to *Ticonderoga*. In their advance they took 200 battaux and 293 prisoners; and having seized the old *French* lines near that fortress, on the 18th September they summoned the place to surrender. Later advices which, though not indisputable, yet well authenticated say, gen. *Burgoyne* is totally defeated and taken prisoner, and that *Ticonderoga* with all its stores is in our possession. Indeed, from the events we already know, we have every reason to believe that the *American* arms are decisively triumphant in that quarter.

As to gen. *Howe*, at the head of the grand *British* army, even when the campaign was far advanced, he had not done any thing in aid of his master's promise, in *June* last, to his parliament, that his forces would "effectually crush" *America* in the course of "the present campaign." Driven from the *Jerseys*, and having embarked his troops on the 23d of July, he put to sea from *Sandy-Hook* with 226 sail; and having entered the *Chesapeake*, he landed his army (about 12,000 men) the 30th of August, on *Turkey-point*, at the head of the bay. Skirmishing with the *American* light troops he pushed on to *Brandy-Wine* creek, behind which *Washington* was posted to obstruct his passage. By a double onset on the 11th of September, at *Chad's* ford and *Jones'* six miles above, where, because of uncertain and contradictory intelligence, *Washington* had not made a disposition adequate to the force with which the enemy attacked, they crossed, first at *Jones'* and then at *Chad's*. The engagement was long and obstinate. The highest account does not make our whole loss exceed 1000 men and 9 field pieces; the lowest state of the enemy's is not so low as 1000 killed—a slaughter from which we may form some idea of the proportion of their wounded. Not having made good the de-

fence of the *Brandy-Wine*, the *American* army fell back six and twenty miles to the *Schuylkill*: nor did gen. *Howe* derive any advantage from the possession of the field of battle. This is the 40th day since the engagement, and we have heard from *Philadelphia*, in less than half the time, circumstances furnishing reasonable ground to conclude, that for at least three weeks after his victory, gen. *Howe* made no impression upon the army of the United States; and that he purchased his passage of the *Brandy-Wine* at no small price. He carried *Bunker's* hill, but he lost *Boston*. I trust he has passed the *Brandy-Wine* but to sacrifice his army, as it were in presence of our illustrious congress, as an atonement for his ravages and conflagrations in *America*.

Having thus taken a general and concise view of the progress of the war in the north, let us now turn our attention to our situation at home. In respect of our government, it is affectionately obeyed. With regard to cannon, arms and ammunition, we are in a truly respectable condition. As to trade, we are the grand emporium for the continent. Oh! that I could but give as good an account of the public vigour of the people. Alas! it seems to have been exported in the same bottoms with the growth of their lands. What! are we sensible that we are yet at war with *Great Britain*? We proceed as if we had totally vanquished the enemy. Are we aware, that to continue such a conduct is to allure them to act in this state, THAT TRAGENCY they performed the last winter in the *Jerseys*? Do we intend to acquire an experimental knowledge of the horrors of war? Do we desire to be driven from this beautiful town—to be dispossessed of this valuable seat of trade—to see ourselves flying we know not whither—our heirs uselessly sacrificed in our sight, and their bodies mangled with repeated stabs of bayonets? Tell me, do you mean that your ears shall be pierced with the unavailing shrieks of your wives, and the agonizing screams of your daughters under the brutal violence of *British* or *Brunswick* ruffians?—Rouse, rouse yourselves into an activity capable of securing you against these horrors. In every quarter the enemy are vanquished or baffled. They are at a stand; cease, my beloved countrymen, cease, by your languor in the public defence, and your ardor after private gain, to invite them to turn their steps this way and seize your country as a rich and easy prey. The states of *America* are attacked by *Britain*. They ought to consider themselves as an army drawn up to receive the shock of assault, and from the nature of their

ground, occupying thirteen towns and villages in the extent of their line. Common prudence dictates that the several corps, in their respective stations, during the whole time they are in battalia, should use the utmost vigilance and diligence, in being on their guard, and in adding strength to strength for their security. We are in the right wing of the *American* line, and at a distance from the main body—are we doing our duty? No! we have in a manner laid up our arms—nay, even prizes are prepared for the horse-race! we can spare no laborers to the public, because we are employing them to collect on all sides articles for private emolument. We amuse ourselves with enquiries into the conduct of those who permitted the loss of *Ticonderoga*, nor do we appear to have an idea that others will, in their turn, scrutinize our conduct at this juncture—a crisis when we know that the enemy have collected their force, and are actually advanced against the main battle of *America*; where, if they shall find they can make no impression, and we have now a flattering prospect they will find their efforts abortive, it is but reasonable to imagine they will recoil upon our post. They will sail faster against, than aid can be marched to us. Their arrival will be sudden—shall they find us shamefully occupied in the amusements and business of peace? Why has the Almighty endowed us with a recollection of events, but that we may be enabled to prepare against dangers, by avoiding the errors and follies, the negligence and supineness, by which others have been ruined. If a sense of our duty to our country, or of safety to posterity, is too weak to rouse us into action; if the noble passions of the mind have not force to elevate us to glory—the meaner ones, perhaps, may drive us into a state of security. The miser, amidst all his anxiety to add to his heap, is yet careful to provide a strong box for its safety. Shall we neglect even such an example of prudence? Pride raised *Carnius's* dagger against *Cæsar*, and procured him the glorious title of *the last of the Romans*. We were the first in *America*, who publicly pronounced lord *North's* famous conciliatory motion, inadmissible—we raised the first regular forces upon the continent, and for a term of three years—we first declared the causes of taken up arms—we originated the councils of safety—we were among the first, who led the way to independence, by establishing a constitution of government—we were the first who made a law authorising the capture of *British* vessels without distinction—we alone have defeated a *British* fleet—we alone have victoriously pierced through and reduced

a powerful nation of *Indians*, who, urged by *Britain*, had attacked the United States. But such brilliant proceedings, unless supported with propriety, will cover us with infamy. They will appear as the productions of faction, folly and temerity; not of patriotism, wisdom and valor. What a contrast! how humiliating the one—how glorious the other! Will not pride spur us on to add to the catalogue? Will you not strive to rival the vigour of the *North*? Do we admire the great names of antiquity? Do we wish for an opportunity to be equally celebrated by posterity?—Than the present, there never was a more inviting or certain opportunity of acquiring an immortal name. A world to be converted into an empire, is the work now in hand—a work whereon the names of the workmen will be engraved in indelible characters. Shall we not exert ourselves to be ranked in this most illustrious list? Nor is it so difficult a thing to acquire place in it, as may be imagined: it is in every man's power to exert himself with vigor and constancy. My dear countrymen, trifle not with an opportunity unexampled, and not to be recalled—it is passing with rapidity. Let us put our hands to our breasts, and examine what we have done in forwarding this imperial structure. How many must say, I have youth—strength—activity—an abundant fortune learning—sense, or some of these blessings; but—I have shewed my attachment to *America* only by a momentary vigour, to mark my inconstancy—scrutinizing the conduct of others—good wishes, and enquiring the news of the day. Such men must be sensible of a disgraceful inferiority, when they hear those *American* names, which the trumpet of fame now sounds through the world; a blast, that will reach the ears of the latest posterity.

Surely such men may have a desire to be relieved from so oppressive a sensation: the remedy is within their own power; and if they will use it, while it throws off their disgrace, it will operate for the benefit of their country. Let them enquire of the president, WHAT SERVICE THEY CAN RENDER THE STATE. To a rich planter, he would say, if you will send 20, 30, or 40 laborers to the public works, and for whom you shall be paid, you will do an essential service in a critical time. To another, if you will diligently overlook and push on the construction of such a battery, or line, you will merit the thanks of your fellow-citizens. To a third, if instead of hunting you will ride about your neighborhood, or a little beyond, and endeavor to instruct those who are ignorant of the importance of the public contest—reclaim the deluded, animate the timid—rouse the languid—and raise a spirit of emulation

who shall exert himself most in the cause of freedom and America: you will deserve the applause of the continent. How many opportunities are there, for a man to distinguish himself; and to be beneficial to his country!

Nor bught those who have labored much in the public defence, to sit down at ease, if they can perform other services. The enemy are repulsed in their attacks—they are at a stand—they seem stunned. Let us now collect our whole strength—one effort more and they must be crushed. *We are warned to expect the enemy;* and it is probable, the back country militia may be called to do duty in this town, during the ensuing winter. I wish to extend some aid to such of their families, as may be most distressed by their absence from home; and I do therefore declare, that I appropriate my last year's salary for that service. I am endeavoring to raise a *spirit of emulation* among my countrymen—the ungenerous will attribute this appropriation to other motives—I know the world too well to doubt it. But, let such follow their inclinations—I rely upon the integrity of my conduct. I ought to endeavor, to discharge my duty to the public; nor is it a consideration with me, that my conduct in the prosecution of my duty, may expose me to a reproach of vanity or ingratitude; a want of sympathy for those in distress or natural affection; I am always satisfied, when I know that I do not deserve such censures. I feel for those, who feel disagreeable effects from my conduct: but, among the many things I regret, I cannot but thus publicly lament, that not the least attention is paid to two important resolutions of our congress in June 1775. One, that all absentees holding estates in this country, except the sick, and those above sixty, and under twenty-one years of age, ought forthwith to return—the other, that no person holding property in this country ought to withdraw themselves from its service, without giving good and sufficient reasons for so doing. The gentle voice of legislative recommendation is not regarded—must the legislature, in order to be heard, raise its voice to the tone of forfeiture? Our country stands in need of the advice, the countenance, the personal support of all those who have property in it. Nor is it just or reasonable, that any should enjoy ease and safety by continuing at a distance, while the people here have put their all at hazard. If we fail, they continue secure in life and estate; if we succeed, they, without toil or danger, reap every benefit we shall procure. I know some of those, who are absent, contrary to the recom-

mendation of their country, nor am I so ungenerous as to attribute their absence to a disgraceful policy. But, even they must be so ingenious as to admit that those who do not know them, have room to cast this reproach upon them, and to be dissatisfied at their conduct.

It is necessary that I speak with boldness and plainness. In a time like this, that language should be as the thunder—not as the music of the spheres—and that I discourse to grand jurors of other things, besides their mere duties in a court of justice. Hence, upon other occasions have I reasoned upon the propriety of our revolution in March 1776—upon the legal necessity of the American independence—and now, upon the situation of affairs. I do most earnestly recommend, that you urge these topics, when you blend yourselves again among your neighbors. In every station that I have had the honor to fill, I have counselled the most decisive measures; nor have I been sparing of my personal assistance in their execution! The public service requires an unwearied application, unabating vigor, and a readiness to make the greatest sacrifices. I firmly trust, that we shall act as men; and that posterity will have no just cause to reproach our conduct.

#### THE PRESENTMENTS OF THE JURY.

##### SOUTH CAROLINA.

*At a court of GENERAL SESSIONS OF THE PEACE, OVER AND TERMINED, ASSIZE AND GENERAL GAOL DELIVERY, begun and holden at Charleston, for the district of Charleston, the 21st October 1777, before the honorable William Henry Drayton, esq. chief justice, and his associates, justices of the said court.*  
*Presentments of the grand jury for the said district.*

I. We the grand jurors of said district, think it our duty to present as a great grievance, that most of the magistrates in the commission of the peace for Charleston refuse to act, by means whereof many criminals, particularly slaves, escape punishment, to the great encouragement of crimes and offences: And we are of opinion, that this remissness in the magistrate, is owing to the law disallowing any fees, for the most salutary services to the public.

II. We present as a grievance, the number of voluntary absentees from this state now in Europe, men of large possessions, that they are not particularly ordered to return, and join their countrymen, in the present contest for liberty and independence.

III. We present, by the information of Mr. Benjamin Edings, that the public road leading from Slann's island to Edisto island, has never been finished, (for want of commissioners) and is now in such bad order, that it is very difficult for the



inhabitants to pass over, and which may be very detrimental in case of any invasion or other emergency, and hope that due attention may be had in remedying this evil.

IV. We return our thanks to his honor the chief justice, for his excellent and patriotic charge delivered at the opening of this sessions, and beg the same, with our presentments, may be forthwith printed and published.

<i>Edward Lightwood, foreman,</i>	[L. S.]
<i>Philip Tidyman,</i>	[L. S.]
<i>John Webb,</i>	[L. S.]
<i>John Creighton,</i>	[L. S.]
<i>Henry Samways,</i>	[L. S.]
<i>John Lyon,</i>	[L. S.]
<i>Samuel Legare,</i>	[L. S.]
<i>Josiah Bonneau,</i>	[L. S.]
<i>Samuel Dunlap,</i>	[L. S.]
<i>John Rivers,</i>	[L. S.]
<i>Robert Murrell, jun.</i>	[L. S.]
<i>James Witter, jun.</i>	[L. S.]
<i>William Royall,</i>	[L. S.]
<i>Benjamin Edings,</i>	[L. S.]

### Judge Drayton's Speech.

*The speech of the hon. William Henry Drayton, esq. chief justice of South Carolina, delivered on the twentieth January, 1778, in the general assembly—resolved into the committee of the whole, upon the articles of the confederation of the United States of America.*

MR. CHAIRMAN.—A plan of a confederation of the United States of America, is at length by congress, given to the continent: A subject of as high importance as can be presented to their attention. Upon the wise formation of this, their independence, glory and happiness ultimately depend. The plan is delivered abroad for private and public information: It is sent to us for consideration. Sir, my mind labors under the load that is thus thrown upon it.—Millions are to experience the effects of the judgment of those few, whom the laws permit to think and to act for them in this grand business. Millions—posterity innumerable, will bless or curse our conduct!—Their happiness or misery depend upon us—their fate is now in our hands! I almost tremble, while I assist in holding the important balance!—But sir, the great disposer of all things, has placed us in this important period, pregnant with vast events. He has called us forth to legislate for the new world; and to endeavor to bind the various people of it, in durable bands of friendship and union. We must obey: and I trust we shall obey, with courage and integrity. Actuated by these principles, I am incapable of

receding from my duty: And conscious that I am bound to consider the subject of a confederation of the United States, upon the broad basis of equality, I shall endeavor to discharge this obligation, first, by viewing the plan before us, with liberality, and with that decency and respect, due to the high authority from which it is derived; and then, by taking the liberty of throwing out my ideas of such terms, as in my opinion are desirable, attainable, and likely to form a beneficial confederation.

The best writers upon government, agree in this as a political truth; that were the liberties of the people are to be preserved, the legislative and executive should ever be separate and distinct; and that the first should consist of parts mutually forming a check upon each other. The consuls, senate and people, constituted such a government in *Rome*: The king, lords and commons, erected such a government in *Britain*. The first, one of the best of antiquity—the last, the most perfect system, the wit of man ever devised: But both, as it is the case with all things temporal, lost their capability of action, and changed their very nature.

We are about to establish a confederated government which I religiously hope will last for ages. And, I must be pardoned when I say, that this government does not appear likely to be formed upon those principles, which the wisest men have deemed, and which long and invariable experience prove, to be the most secure defences to liberty. The congress seem to have lost sight of this wise mode of government: At least it is certain, that they have rejected it. I lament their decision: I have apprehensions for the consequences. Into their own hands, they appear inclined to assume almost all the important powers of government. The second article speaks of the sovereignty of the respective states, but by the time we arrive at the last, scarce the shadow of sovereignty remains to any. "No two or more States shall enter into any treaty," but by consent of congress—"nor shall any body of forces be kept up by any state, in time of peace, except such number only," as congress shall deem requisite—"no vessels of war, shall be kept up in time of peace by any state, except such number only," as congress shall deem necessary—"nor shall any state grant commissions to any ships or vessels of war, except it be after a declaration of war by," Congress—and, these are great and humiliating restrictions upon their sovereignty. It is of necessity, that the sovereignty of the states should be restricted:—but I would do this with a *gentle* hand. Cannot a good confederation be had, without these humiliating

restriction? I think it may. However, independent of the settlement of this point; the two last restrictions require another observation. From the first of them, it ought to be presumed, that upon a vacancy in any of the vessels of war, kept up by any state in time of peace by the permission of congress, the state to which they belong shall in time of peace, be at liberty to issue a new commission: But if this is to be presumed, the sentiment *ought to have been precisely expressed*; for it is obvious, a doubt upon this matter, may arise from the restriction, that no state shall grant commissions to any ships or vessels of war, *except it be after a declaration of war*. These clauses, if we give due efficacy to the signification of words, really clash—at least displaying an ambiguity, they require a rule of construction, that must *destroy* the *peremptoriness* of words. A rule which ought not to be admitted into an instrument of this kind; for it should be maturely considered; and it may be precisely worded, without the formality in a statute law.

There seems to be a dangerous inaccuracy in that part of the sixth article, prohibiting the states respectively from entering into any conference with any king, prince or state. I presume this ought to be understood, to respect a *foreign* state only: But it may be insisted upon, that the prohibition includes even the United States. And why should not two or more of these have any conference? I would have the doubt *absolutely destroyed*.

The third section of the article now under my observation, declares, that “no state shall lay any imposts or duties, which may interfere with any stipulations in treaties, entered into by congress with any king, prince or state, in pursuance of any treaties already proposed by congress to the courts of *France and Spain*.” And I must contrast this, with the provision in the ninth article, “that no treaty of commerce shall be made whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners, as their own people are subject to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever.”...I am of opinion, we are to understand from the first of these clauses, that *no state shall lay any imposts or duties*, which may interfere with the present foreign stipulations of congress, in treaties already proposed; and that such stipulations, free of such interference, may be concluded by treaty: But this latter meaning, is not expressed. Indeed a great doubt arises, whether this be the true intent of that clause, when we

consider the subsequent proviso, worded in these most peremptory terms, that “*no treaty of commerce shall be made whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners, as their own people are subject to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever*.” I know, that the rule of construction in law, is capable of warranting the meaning I have extended to the first clause, and of giving efficacy to both: But then it must, *destroy the positive terms* in the second, qualifying by giving them an operation only respecting treaties of commerce, which shall be *made exclusive and independent* of the foreign stipulations of congress in treaties already proposed. And unless this rule takes place, the first clause is absolutely in effect repealed, by that which is subsequent. We experimentally know, that men will not always admit that to be reason, which really is so; and that where there is a doubt, they will obstinately contend for, and persist in opposite constructions. Those two clauses will undoubtedly admit of contention; and the least consequence that can arise, will be, either that the first clause must be considered as repealed, or the natural import of the positive terms in the last must be destroyed, and qualified. And independent of these disagreeable alternatives, the last clause appears to be an intolerable clog to foreign negotiation....I could wish here to finish particularizing matters of doubt: but it is necessary to select one instance more, and then I will shew the main tendency of these objections.

In the fourth section of the ninth article, congress is vested with the power of “regulating the trade and managing all affairs with the *Indians*, not members of any of the states, provided that the legislative right of any state within its own limits, be not infringed or violated.” I much approve the grant, but I confess I do not understand the grant and proviso combined. For I cannot conceive, in what manner the legislative right of a state within its own limits, can be infringed, by an act of congress relative to *Indians not members* of any state; and therefore not within the limits of any so as to be subject to the operation of its legislative right.

It is of no moment with me, whether the doubts I have raised, are deemed obvious and important, or rather refined and of little consequence. Grant, and it must be admitted, that they have the appearance of doubts—I ask no more. The honor and interest of *America* require, that their grand act of confederation, should be a noble monument, free, as far as human wisdom can enable it to be

from defect and flaw: Every thing unnecessary should be critically removed—every appearance of doubt, should be carefully eradicated out of it. It is not to be thought, but that the present congress clearly understand the confederation. But other congresses will look for the *spirit* of the law. This “will then be the result of their good or bad logic; and this will depend on their good or bad digestion; on the violence of their passions; on the rank and condition of the parties, or on their connections with congress; and on all those little circumstances, which change the appearance of objects in the fluctuating mind of man.” Thus thought the illustrious marquis *Beccaria*, of *Milan*, a sublime philosopher, reasoning on the interpretation of laws.—I must be permitted to continue his ideas, yet a little further upon this subject—they are so exactly in point. He says, “there is nothing more dangerous than the common axiom: *The spirit of the laws is to be considered*. To adopt it, is to give way to the torrent of opinions.” “When the code of laws is once fixed, it should be observed in the literal sense.” “When the rule of right which ought to direct the actions of the philosopher, as well as the ignorant, is a matter of controversy, not of fact, the people are slaves to the magistrates.”—Is it not the intention of the confederation, that the people shall be free?—Let it then be adapted to the meanest capacity—let the rule of right be not matter of controversy, but of fact—let the confederation be understood according to that strict rule by which we understand penal laws. The confederation is of at least as much importance to *America*, as penal laws are in a small society—safety to the people is the object of both. In a word, the spirit of laws, lays down this maxim, that “in republics, the very nature of the constitution requires the judges to follow the *letter* of the law.

The fourth articles declares, “that the free inhabitants of each of these states, paupers, vagabonds and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several states:” A position, in my opinion, absolutely inadmissible. Would the people of *Massachusetts*, have the free *Negroes* of *Carolina*, eligible to their general court? Can it be intended, that the free inhabitants of one state, shall have power to go into another, there to vote for representatives in the legislature?—And yet these things are clearly included in that clause. I think there ought to be no doubt, but that the free inhabitants should be white, and that such of one state, should be entitled to the privileges and immunities in another, only by the same means

through which the free white inhabitants of that state are by law entitled —This article also provides for the “removal of property imported into any state;” but the removal of property acquired in it, into that “of which the owner is an inhabitant,” is neglected. Has not the owner an equal right to enjoy at home, the last kind of property as the first? The provision in behalf of the congress, or a state, is manifestly in contradistinction, to that in favor of a private owner.

The fifth article directs, that delegates shall be annually appointed to meet in congress, on the first *Monday* in *November*; and this is a matter requiring particular attention. Our climate instructs us, that the general assembly should make their long and important session in *winter*; and but a short one in *summer*, rather to finish than begin even common business. Indeed this is assented to by the members, and of course but few, and those too, in the vicinity of *Charleston*, attend the *summer* sitting, which cannot even with prudence be had between the months of *July* and *November*. When then, sir, are the delegates to be elected for the *November* congress? Are they to be chosen in the *summer* session; and in a very thin house of course? Congress cannot intend this—our country cannot admit of it; because such delegates, a representation of the highest nature, should ever be chosen in a full house, as the most obvious sign that they are the real delegates of the people. Nor can it be expected, they should be chosen in *January*, the time, which the climate and local circumstances point out, as the most proper for beginning our long and important session. For this would be reducing us to the necessity of appointing delegates, almost twelve months before they were to serve—a measure neither necessary, nor to be admitted, if we can avoid it. Those months comprehend an inclement *summer* and *autumn*; and death or sickness may destroy the intended representation: In which case the state may not, by the united voice of the people, be represented in congress from the beginning of *November* to the middle of *February*—an event, that might be of fatal consequences. I shall therefore be very glad to see, either the month of *February*, *March* or *April* substituted instead of *November*. These reasons will also support me, in objecting to that part of the same article, relative to the recal of delegates, within their year. A thin house may cast an unmerited censure upon a worthy delegate. I do not wish to see such a power existing. Not that I expect if there was such, that it would be abused, but we ought, as far as we can, to guard against the possible abuse

of power. And, in addition to these principal objections against the fifth article, I must, add, that I think it is utterly impolitic, to exclude a member of congress from being nominated to a commission under the United States: The clause upon this subject is rather dark. Many a delegate, may be able to render much more important service to the confederacy, in such a station, than in congress—the occasion of such service may be pressing—as fit a person out of congress may not then be known—a member of congress may be most capable of the station, because possessed of the secrets of congress—and shall the service of such a man be lost to the confederacy, merely because he is a member of congress? The answer is obvious I think—No, but let his acceptance of the commission vacate his seat, and render him incapable of a re-election during the time he holds it.

I have already said, the sovereignty of the states should be restricted with a gentle hand: I now add it ought to be restricted, only in cases of absolute necessity.—What absolute necessity is there, that congress should have the power of causing the value of all granted land, to be “estimated according to such mode, as they shall from time to time direct?” Congress should have no power, but what is clearly defined in the nature of its operation.—But I am absolutely against the position, that the public aids shall be raised by the several states, in proportion to the value of their granted lands, buildings and improvements. At the first blush of this proposition, nothing seems more equitable: But viewing the subject with more attention, I think I see, that it is unequal, injurious and impolitic. It is unequal, because it seems to be in vain to expect, that such lands, &c. will be equally assessed in their true value. To have any chance of doing this, the assessors must actually know every acre; and the multitude of them must have an equal judgment: But can either be even hoped for? Do we not positively know, that this mode of assessment does not answer the end—an equal and just assessment of the value? The assessors in Charleston, are men of knowledge, diligence and integrity, and is it not notorious, that the landed property in Charleston, although minutely known, and within a small circle is unequally valued? Shall we, with our reason in full vigor, wish to extend to an immense circle, a principle that we are sensible fails us even in a small one? Is there any certain criterion of value? Does not value altogether depend on opinion, imagination, caprice? Hence it is, that we see the ideas of men upon this matter, infinitely wide. How then can it be ex-

pected, that a general assessment will ascertain, the true value? More or less than this, ought not to be rated: In the first case, the state would be injured—in the last, the other states would be defrauded; and that course should be taken, which seems most likely to avoid this Sylla and Charybdis. All movements in politics, as in mechanics, are difficult and hazardous in proportion to their complexedness. Now, in order to raise the general aid, a complex motion of government is necessary. First, to assess the value of the land—then to ascertain the sum to arise from it—and then, to raise the sum, by a variety of taxes, according to the discretion of the legislature. Is such a complicated motion to raise the aid desirable, especially when it cannot possibly be done with equality to the several states; and also, when another principle is at hand, perfectly simple in its nature, just and equal in its operation, and is the allowed criterion to ascertain the proportion that is desired? I have been given to understand, that a capitation throughout the United States, was in contemplation of congress; and I have ever understood from the most approved writers upon this subject, that the true riches and strength of a state were to be rated in proportion to the number of people sustained in it. I would then have this, the criterion of the public aid from each state. It is, in my humble opinion, in every respect preferable to the other. The criterion may be ascertained, and the tax raised by one act of government. Such a criterion and mode of taxation, has long been in use in some parts of this continent; and it is best, under a new government, to continue customs in use under the old, as long as they are salutary and practicable—this is the north point in my political compass. If we can attach the people, by exempting them from old impositions, such as quit rents in particular, it is the soundest policy to do so; for this interests them in support of the new establishment: But we cannot be too cautious in trying projects of a contrary nature. I said, the capitation criterion of proportion, was in every respect preferable to the land assessment: I now add, that it will be an important check upon the numeration of the white inhabitants, to be taken in order to rate the military quota of each state; and this is a very material reason in support of the capitation criterion—we cannot well have too many proofs, to establish the true number of white inhabitants.

The mode of trial of disputes between any two or more states seems full of delay, and therefore it ought to be amended. The fifth article provides, that the representation of each state, shall not be

less than two delegates: But the mode of trial specifies, that in a certain case, "congress shall name three persons out of each of the United States, from whom the judges shall be selected. Now, a state may be represented by only two delegates, and then, the trial cannot be had, and considering the expense of paying delegates—the inconvenience of their attendance upon congress at a distance from their private affairs, and from constant experience, a bare representation is oftener to be expected, than a supernumerary one. If it is meant, the three shall be taken from the people at large, which I will not imagine to be the case, a court may be picked; and therefore, that plan ought not to be heard of.—In this case, I would prefer judges during good behavior, eminent for their knowledge in the law of nations; and who should be obliged to assign at large, the reasons upon which they ground their decrees.

The congress would be vested with the sole and exclusive right and power of regulating the alloy and value of coin struck by the authority of the respective states; and of fixing the standard of weights and measures throughout the U. States: But I see no necessity for such delegation. To regulate the alloy and value of coin is one of the most distinguishing prerogatives of sovereignty, nor can any of the united states part with it without exposing itself to be drained of specie. Did we not a few years ago, encrease the value of dollars and half johanneses, in order to retain those coins; and shall we now part with the very ability of retaining coin among us? The balance of trade may be against us, then remittances will be made in coin, and our produce will be left upon our hands. It is our business to endeavor to reverse the case, and I hope we shall, by refusing to vest the congress with a power that we have hitherto been able to exercise ourselves with advantage in a time of necessity.—Nor do I see any reason for our resigning the power of fixing the standard of our weights and measures. The states are very competent to this business. Let the weights and measures be ever so variable in the several states, the price of commodities will ever be adequate to the variation in the respective markets.

Congress desire to be invested with the "appointing all officers in the land forces, excepting regimental officers." And far from seeing any absolute necessity for their having such a power, I can see no degree of common propriety to warrant the claim. The several states are to raise the regiments composing the land forces. Deputy staff officers in particular are absolutely necessary

to each of the quotas; and they rank with regimental officers. I cannot see the shadow of a good reason, why the states should not have the appointment of all officers necessary to complete their respective quotas. Their honor, interest and safety are immediately and primarily effected, by the proper formation and regulation of their quotas. Their respective spheres of action, being within a very small circle, in comparison of that, in which the congress preside; they must of consequence be enabled to view objects at a nearer distance—to penetrate into the characters and abilities of candidates, and to make a proper choice with more accuracy and precision, than congress can be supposed to do. They will have enough upon their hands, in actuating the great machine of government. Their attention necessarily engaged in general and important affairs, ought not to be permitted to be drawn off, by those inferior objects which can more minutely and therefore better be examined by the respective states. This ought to be a fundamental maxim in the confederated policy. There is justice in it; and I will be bold to say, it arises from principles of true wisdom. It will display a confidence on the part of congress in the several states; and this must be the grand basis of their independency and freedom. We do not mean, unnecessarily to delegate any part of our sovereignty: We are willing to sacrifice only such parts of it, as are necessary to be sacrificed for the general safety. In short, we enter into this confederacy, on the same principle only, that men enter into society.

But independent of this position, as a matter of right, I will consider the claim upon the footing of common prudence and experience. Whenever congress sit, there will be a number of persons, especially from the nearer states, soliciting offices: They will form acquaintances with the members; and we know the common effect of such connections. In consequence, congress may appoint even an unexceptionable person, as to his character and capacity, to a post in a state in which he has no connections, and of which he is not a member: This may occasion an envy against the officer, even to the detriment of the public service; and a displeasure against congress, for having made, as it may be deemed, an appointment injurious to those individuals of that state, who were in every respect capable of the office, and whom the public would wish to see in it. Or congress may be induced to appoint a member of the state, but such a one as the people never would have chosen, because they know him to be unequal to

the trust. To say such things ought not to be supposed, is to say but little: Every page in history—the known disposition of the human heart informs us, that nothing is more likely to happen. I am therefore clearly against the clause—all officers excepting regimental officers. And indeed I am of opinion, that of as many brigades as the quota of any state may consist, so many brigadiers general should that state nominate; the eldest of whom should command the whole, while in the state, and not therein actually assisted by the major part of another quota, commanded by a superior officer. Let congress appoint a generalissimo and major-generals—these are proper to command two or more quotas when in conjunction: And the states being divided into departments, a proper number of major-generals may command in them.

In a confederacy of states, for the purpose of general security by arms, I cannot but conceive, that there ought of prudence and necessity, to be a clause, at least obliging the parties to furnish their respective quotas, beyond the possibility of a neglect or evasion with impunity. But, I see no such clause in the confederation before us—the main pillar of security therefore is not in it. It is true, there is a long clause respecting quotas: But, it is only directory. And how many such laws are there, which are regarded as nugatory, merely for the want of a penal clause? Have we not had sufficient experience, of the inefficacy of that clause relating to quotas? Before it was inserted in the plan of confederation, did not congress act upon the very principles contained in it? The present quotas of the respective states, were arranged upon a computation of their respective abilities. The numbers were sufficient, with the favor of Heaven, may abundantly sufficient almost without effusion of blood, to captivate all the *British* forces in *America*. But, when they ought to have crushed the ungenerous foe, they were not even raised in the most populous states. These principles, even in the hour of the most pressing necessity, have been neglected with impunity, at our hands, to the imminent hazard of the liberties of *America*. Are we not to be instructed, even by a bloody experience? Shall we not receive light, even from the conflagrations spread over our land? Oh! why has our beneficent Creator endowed us with recollection!—Mr. Chairman, pardon me; I am hurt—pierced to the quick, at an omission of the most fatal nature. It is a symptom filling me with torturing apprehensions.

Upon such principles was the allied army to be formed, under the great duke of *Marlborough*. The

quotas were specified, I may say even in a more positive manner: Yet the emperor and *Holland* were yearly more and more deficient. The war was of necessity to proceed; and as the other allies failed in their quotas, so *England* was obliged to increase her exertions; and to such a degree was the one and the other, that at length *England* almost entirely supported the war, while the emperor had but little more than a single regiment at his own expense, that could be said properly to act against the common enemy. Mankind are not more honest in their principles, or faithful to their engagements than they then were, nor will they be so. Honor, duty and our most essential interests, have loudly and in vain called upon the *Americans*, to complete their quotas. They are as strongly bound by the principles upon which the quota clause is formed, as they can possibly be, if that clause without aid, become a part of the confederation. Shall we shut our eyes, and absolutely trust our liberties and safety to a clause, that as it stands, we experimentally know will fail us in the hour of necessity? While I retain my proper senses, I cannot.

Nor are these my only objections against that clause in its present state: There is a degree of injustice in its tendency. I do not mean that it was designed. By there not being any thing compelling in it, it has a tendency to expose an unequal proportion of the strength of some states, to the hazards of war in defence of the confederation. And the first principles of justice direct, that this danger should be provided against, as far as may be. We well know, that man is so selfish and ungenerous a being, that he will, when he can, throw his load upon the shoulder of his neighbor. Men form states—these act upon the same principle; and accordingly we find, that the emperor and *Holland* unjustly placed a load upon *England*, that almost crushed her. It is against such an evasion of duty, and such a forced assumption of burden, that I wish to provide—and they ought to be guarded against by every possible means. Let it not be said, the confederated treasury is to pay the whole expense incurred—that is not the point: But if it was, is there the least security that there shall be money in that treasury?—My aim is to protect the states from a more fatal injury—to preserve them from the necessity of sacrificing, an unreasonable proportion of the flower of their people. An ardour for the public weal, may involve generous states, in the utmost distress; and throw them a century or two behind those ungenerous ones they saved. Nor can the confederation make them amends for that loss, which, of all that can

happen, is the greatest. *Valerius Maximus* said, severity is the sure preserver and avenger of liberty.

Sir, when I consider, the extent of territory possessed by the thirteen states—the value of that territory; and that the three most southern, must daily and rapidly encrease in population, riches and importance. When I reflect, that from the nature of the climate, soil and produce of the several states, a northern and southern interest in many particulars naturally and unavoidably arise; I cannot but be displeased with the prospect, that the most important transactions in congress, may be done contrary to the united opposition of *Virginia*, the two *Carolinas* and *Georgia*: States possessing more than one half of the whole territory of the confederacy; and forming, as I may say, the body of the southern interest. If things of such transcendent weight, may be done notwithstanding such an opposition; the honor, interest and sovereignty of the south, are in effect delivered up to the care of the north. Do we intend to make such a surrender? I hope not, there is no occasion for it. Nor would I have it understood, that I fear the north would abuse the confidence of the south: But common prudence, sir, admonishes me, that confidence should not wantonly be placed anywhere—it is but the other day, that we thought our liberties secure in the care of *Britain*. I am assisting to form the confederation of the United States: It is my duty to speak, and to speak plainly: I engage in this great work with a determined purpose, to endeavor, as far as my slender abilities enable me, to render it equal, just and binding. I presume, that all my coadjutors in the several states, in and out of congress, act upon this sentiment; nor can I admit a contrary idea. When all mean fair, equitable terms are not difficult to be adjusted: I therefore hope, I shall not be thought unreasonable, because I object to the nine voices in congress; and wish that eleven may be substituted, to enable that body, to transact their most important business. The states general of *Holland*, must be unanimous: Their government is accounted a wise one; and although it causes their proceedings to be slow, yet, it secures the freedom and interest of its respective states. Is not this our great aim?

For the present, I here, Sir, limit my particular objection to the plan under consideration: I have made these with the highest reluctance. In a word, I cannot admit of any confederation, that gives congress any power, that can with propriety, be exercised by the several states—or any power, but what

is clearly defined beyond a doubt. Nor of entering into any engagements, which are as equal as may be, between the statements of a compelling nature, and the words understood according to the letter only. These five leading principles, a confederacy is a desirable object in my opinion.

Thus, Mr. Chairman, have I complied with the first division of my subject—to perform it is a much more arduous task: But before I must crave the kind indulgence of you and the house: I fear I have too long intruded upon your attention.

It is with the greatest diffidence, sir, I presume to throw out my ideas of such a confederation. In my opinion are desirable, attainable and form a beneficial confederation. In doing so, I do not flatter myself, it will not be understood, as so weak as to think them unexceptionable. I declare, the sketch I shall draw, will not be an one, as I would prefer, and think the best. From the complexion of the present and the labor and time spent upon it, I which I would wish, cannot be attained; hence, I mean to conform my ideas to those laid down by congress; with design to resist and zealously to endeavor to render as little to objection as I can, the scheme likely to effect. I shall therefore sketch the plan of the confederation in the following order. The first of the country in which the confederacy is to be—a confederated union, and its objects and the stile of the confederacy—the constitution of its legislative and executive—the powers described and limited, and their respective points pointed out—the public faith plighted by engagements of congress—the engagements of the several states to each other, and declaration of rights—a declaration of the capability of a state to enter into the confederacy—the penalty of violating the articles of confederation—the obligatory nature of the confederation; and in what manner capable of alteration—the rule by which the confederation shall be understood.

#### AMERICA.

##### THE CONFEDERATION OF THE UNITED STATES.

*A confederated union, and its objects defined.*

Art. 1. A confederation between the independent, free and sovereign states of New Hampshire, Massachusetts Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, is

solemnly made, uniting them together under one general superintending government, for their common defence and security, against all designs and leagues that may be detrimental to their interests; and against all force and attacks offered to or made upon them or any of them.

*The style of the confederacy declared.*

*Art. 2.* The style of the confederacy shall be, the United States of America.

*The legislative and executive constituted.*

*Art. 3.* The legislative for the confederacy shall be in a congress composed of delegates from each of the United States—the congress shall be styled, The congress of America, and one of the delegates shall, by the others, be elected to preside in it. The delegates shall be annually nominated by their respective legislatures, to meet in the congress of America, on the fifteenth day of March in every year. Each state shall be represented in congress, by not less than three, nor more than seven delegates, and shall have one vote in congress, where all questions shall be determined by a majority of votes, except such as shall be hereinafter mentioned. Any state neglecting to have a representation in congress, shall nevertheless be bound by the act of congress, as if its representation was present. Each state shall maintain its own delegates. No delegate shall be a member of congress for more than three years, in any term of six years. Nor shall any member of congress be capable of holding any office under the United States of America, for which he, or any other for his benefit, receives any salary or emolument of any kind; for his acceptance of any such office shall vacate his seat in congress; nor shall he be re-elected as a member while he holds such office. Freedom of debate and speech shall be allowed in congress, nor shall any thing done in congress be impeached or questioned out of it. The delegates shall be protected in their persons from arrests and imprisonments, except for treason, felony or breach of the peace. The executive for the confederacy shall be in the congress, and during its recess in a committee of their body, which shall be styled, The committee of the United States of America. This committee shall consist of one delegate from each state, the president of the congress being one, and he shall preside in it—all questions therein shall be determined by a majority of votes, and their acts shall be binding upon the United States, notwithstanding the absence of any member of it.

—14.

*The powers of the congress and the committee of the United States of America described and limited, and their respective duties pointed out.*

*Art. 4.* The congress shall have power to appoint one of their number to preside in it—to make rules for regulating their proceedings—to declare what shall be deemed treason against the United States of America, and in what manner such treason shall be punished—the congress shall have the sole power of declaring war and peace—sending ambassadors to, and receiving them from, foreign princes and states—entering into and concluding treaties and alliances with foreign powers—ascertaining the military land quota of each state, in proportion to the number of white inhabitants therein respectively—building, purchasing and equipping a naval force, in the service of the United States of America—rating and causing taxes to be levied, throughout the United States, for the service of the confederacy—appointing a generalissimo and commander in chief of the land forces, major generals, principal staff officers, and a war-office, styled The war-office of America—nominating an admiralissimo and commander in chief of the naval forces, all subordinate officers in the naval force in the service of the United States, and an admiralty-office, styled The admiralty-office of America—establishing a treasury office, styled The treasury office of America—supplying and filling up all vacancies in the said military and naval establishments; and in the said war, admiralty and treasury offices—making rules for the government of the said military quotas, naval force, war, admiralty and treasury offices—directing, ordering and commanding the said military quotas, naval force, generalissimo, major generals, principal staff officers, admiralissimo, subordinate officers, war, naval and treasury offices, in all their operations and proceedings—emitting and borrowing money upon the credit of the United States, from time to time, not exceeding the sum ascertained as necessary to be raised for the service of the confederacy; transmitting to the several states, half yearly, an account of the sums of money so emitted and borrowed—applying the said sums of money ascertained to be raised, and allowed to be emitted and borrowed, for defraying the public expense—collecting military stores and provisions, and issuing them for the service of the United States—granting letters of marque and reprisal—declaring what captures on land and on water shall be legal; and in what manner such captures, by the land and naval forces in the service of the United States, shall be divided and appropriated—appointing



courts in the several United States for trial of piracies committed on the high seas, and for deciding finally appeals in all cases of capture, arising in such states respectively—appointing all such civil officers as may be necessary for transacting and managing the general affairs of the United States; ascertaining their duties, and, except judicial officers, directing their proceedings—regulating the alloy and value of coin struck by their authority—establishing and regulating post offices throughout the United States; exacting such postage as may be necessary to defray the expense of the said offices, or any part thereof—regulating the affairs and trade of the *Indians*, not members of any state—being the dernier resort, on appeal in all cases of dispute, between any two or more of the United States, and this power shall be exercised in the following manner, that is to say—whenever the legislative or executive authority, or lawful agent, thereunto legally required, of any state in controversy with another or others, shall present a petition to the congress, stating the matter in question, and praying for a hearing, notice thereof shall, within ten days, be given, by order of congress, to the legislative or executive authority of the other state or states in controversy, assigning a day, not sooner than six months, nor later than nine months, to the parties to appear before them, by their lawful agents: who shall in their presence, on the day assigned, be by them directed to appoint, by joint consent, within ten days thereafter, seven judges to constitute a court for hearing and finally determining the matter in question, according to the law of nations: who shall sit, if it be necessary, from day to day, not exceeding ten days, Sunday excepted, and give their final decree by a majority of voices, with the reasons at large upon which they found it; which decree and reasons shall be by them returned to the congress, and by them be deposited among their acts, for the security of the parties concerned; the congress causing the decree to be peremptorily executed without loss of time. But, if the said lawful agents shall not, within the said ten days, agree in a nomination of the seven judges, congress shall, within three days, name three delegates of the representation of each of the United States, (provided the president of the congress shall not be one, and that if such a nomination of three delegates cannot otherwise be made, that congress shall have power, of their body, to elect a person to represent the state in his room) and from the list of such persons, each party in controversy shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven, nor more than nine, as congress shall direct, shall, in presence of the congress, and the said lawful agents, be drawn out by lot, by the secretary of the congress, and the persons whose names shall be so drawn, or any five of them, shall be judges to hear and finally determine the controversy in the manner, and the proceedings thereupon shall be the same as specified relative to the court chosen by the said lawful agents: And if either party shall neglect to attend at the day appointed, or being present, shall refuse to strike, the congress shall proceed to nominate three persons of the representation of each of the United States, in manner already specified and provided, and the secretary of the congress shall strike in behalf of such party absent or refusing—the judges shall be drawn—their powers and duties shall be the same, as shall be the proceedings of congress, as are specified relative to the court formed by the joint choice of the lawful agents. And in any court so provisional by directed to be constituted, if either of the parties shall refuse to submit to the authority of the court, or shall not appear therein to support or defend their cause, the court shall, notwithstanding, proceed to hear and to pronounce its decree, which shall be attended with the same effects, as are above specified, relative to the court chosen by joint consent. Every judge, before he sits in judgment in any such case, shall take an oath, to be administered by any one of the judges of the supreme or superior court of the state, in which the cause shall be tried, “well and truly to hear and determine the present matter in question between                      and                      according to the best of his judgment, without favor, affection, fee or hope of reward:” the blanks being supplied with the description of the parties. And all controversies concerning the private right of soil, claimed under the different grants, of two or more of the United States, whose jurisdictions, as they may respect such soil, and the states which passed such grants, the grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall be proceeded in, as nearly as may be, agreeable to the trial specified to be had in controversies between any two or more of the United States. The congress shall further have the power of adjourning to any time, not exceeding six months, and to any place within the United States of America—appointing the committee of the United States of America—vesting them with such of their powers according

to their authority and discretion; examining into their journals and proceedings. But the congress shall not declare what shall be treason against the United States, nor the punishment of it, but by the voice of each of the United States in congress—nor shall the congress engage in war—nor enter into or conclude any treaty or alliance—nor ascertain the military land quota of the states—nor build, purchase or equip a naval force—nor rate or cause a general tax to be levied—nor appoint a generalissimo—nor nominate an admiralissimo—nor emit or borrow money—nor grant letters of marque and reprisal in time of peace, except by the consent of eleven votes in the congress—nor shall the congress vest any of these powers in the committee of the United States—nor shall any person officiate as president of the congress, longer than one year in any term of three years—nor shall the congress exercise any power, but what is hereby expressly delegated to them. The congress, and the committee of the United States, shall respectively publish the journal of their proceedings monthly, except such parts thereof relating to treaties, alliances and military operations, as they respectively shall think require secrecy; and the yeas and nays of the several delegates in the congress, and in the committee of the United States, shall be entered on their respective journals, when desired by any delegate present, who, at his request, shall be furnished with a transcript of the said journals respectively, except such parts as are above excepted, to lay before the legislature of the several states. The committee of the United States shall at all times lay their journals and proceedings before the congress, when by them required. And with the powers herein delegated to the congress, and that may by them be delegated to the committee of the United States of America, they and each of them shall endeavor, that the confederacy receive no detriment.

*The public faith pledged for past engagements of congress.*

Art. 5. All bills of credit emitted, monies borrowed, and debts contracted by the congress of the United States, or under their authority, before this confederation, shall be deemed and considered as a charge against the United States of America; for full payment and satisfaction whereof, the said United States and the public faith are hereby solemnly pledged.

*The engagements of the several states to each other, and declaration of their rights.*

Art. 6. There shall be a mutual friendship and intercourse among the people of the several states

in this union—the free white inhabitants of each of these states, (those who refuse to take up arms in defence of the confederacy, paupers, vagabonds and fugitives from justice excepted) shall be entitled to all privileges and immunities of free citizens in the several states, according to the laws of such state respectively, for the government of their own free white inhabitants—having uninterrupted ingress and regress, together with their property, to and from any other of the United States; subject nevertheless to the duties, impositions and restrictions, as the inhabitants thereof respectively; provided, that such restrictions shall not extend to defeat the articles of this confederation, or any part thereof: Provided also, that no duty, imposition or restriction shall be laid by any state, on the property of the United States, or of the government, in either of them, except in cases of embargo.

If any person charged with, or guilty of treason, felony or other high misdemeanor in any of the respective states, shall flee from justice, and be found in any of the states, upon the demand of the executive power in the state from which he fled, he shall be delivered up, and removed to the state having jurisdiction of the offence, that state defraying the expense of the removal. And full faith and credit shall be given throughout the United States to the acts, records and judicial proceedings of the courts and magistrates in each:

No state shall lay or allow to continue any prohibition, impost or duty, which may interfere with any treaty, which shall be made by the congress with any foreign power—no state shall engage in any war, without the consent of the congress, unless such state be actually invaded by an enemy; or shall have received certain intelligence of such hostile design, formed by some nation of Indians, and the danger is so imminent as not to admit of a delay—no state shall grant letters of marque and reprisal, but after a declaration of war by the congress; and then only against the power against whom the war has been so declared, except such state be infested by piracies, in which case vessels of war may be fitted out by that state for the occasion only—no state shall enter into any conference, agreement, treaty or alliance with any king, prince or foreign states—nor shall any person, holding any office under the United States, or under any of them, accept of any present, emolument, office or title, from any king or foreign state, without being thereby absolutely rendered forever incapable of any public trust, under the United States, or any of them—nor shall any of these states

grant any title of nobility: But precedence and rank shall be thus established: The president of the congress of America—the supreme civil officer of a state while in it—the generalissimo and admiralissimo, and they according to seniority—the regular forces by land and sea, in the service of the United States—the regular forces by land and sea, in the service of a particular state, ranking with such forces in the service of any other state—the militia of a state, ranking with the militia of any other—officers of equal degree, shall command according to the rank hereby laid down for their respective corps; and officers of the same corps, being of equal degree, shall command by seniority of commission.

The military land quota of each of the United States shall be in proportion to the number of white inhabitants in each—the legislature in the several states shall, from time to time, cause all the white inhabitants therein, to be numbered as nearly as may be—the persons appointed to number them, shall be sworn to make the most diligent and accurate enquiry that they can, and to return to the executive power in the state, the true number they shall so find—they shall be paid for their trouble, and punished for their neglect, if any there shall be—the executive authority in each state, having received such a return, shall without loss of time send it, or an exact copy of it, to the congress—such a return to the congress shall be made before the first day of January next, and in every seventh year thereafter—the several states shall, in due time, embody the several military quotas required by the congress, and shall raise, clothe, arm and maintain them, at the general expense, rated by the congress—the several states shall appoint all the regimental and deputy staff officers incidental to their quotas; and into as many brigades as the congress shall brigade their respective quotas, so many brigadier-generals, shall such respective state nominate, the whole to be commissioned by the congress—all vacancies in a quota shall be supplied by its state—the executive power in each state, except that in which the congress be sitting, shall, under the authority and controul of the congress, direct the land forces, ships and vessels of war, and all officers incidental thereto, in the service of the United States, within such state—the proportionate pecuniary quotas of the several states shall be regulated in proportion to the number of inhabitants in each state respectively—whenever such pecuniary quotas for the service of the United States shall be required by congress, they shall state the capitation rate—each state

shall then appoint persons to number its whole inhabitants, according to the mode stated to ascertain the number of white inhabitants in each state, such persons being also caused to specify the number of white, mustizo, mulatto and negro inhabitants respectively—such a numeration being duly returned, the legislature in each state shall levy the sum of money to arise therefrom, in such mode as they shall deem expedient; and a true copy of the said return shall, without loss of time, be sent to congress—the several states shall duly pay their pecuniary quotas into the treasury office of America, by the time mentioned by the congress for such payment, unless to the contrary directed for the good of the public service; in which case, such state so directed shall, within twelve months, duly account with the said treasury-office for the pecuniary quota, or part thereof so directed to be retained—each state shall, within five years, establish a foundation for a naval seminary, making suitable provision for the constant maintenance, education and fitting for sea, five youths for every thousand white inhabitants within such state: Every such youth shall be admitted upon such establishment, at ten years of age: At the age of fourteen, he shall be bound an apprentice in the sea service for seven years, completely furnished with necessary clothes and bedding: At the expiration of that term, he shall be liable for a term of seven years, in time of war, to do duty, or to find a seaman to do duty in his room, on board the naval force in the service of the United States, or in that of the state in which he was so educated: And he or his substitute, as the case may be, shall for such service be free from every tax; and losing the use of a limb in the public service, shall be maintained ever after at the expense of the United States, or of that state in whose particular service he was so maimed. Each state shall make suitable laws for rendering this naval establishment a public benefit—all general officers, flag officers and commodores, shall be created by election only, nor shall the principle of seniority give any title to such promotion—no state shall exercise any power hereby delegated to the congress: But it is declared, the several states do possess and enjoy all those natural rights and powers of sovereignty, not by this act delegated: And it is also declared, that whenever the congress shall cease to observe these articles of confederation, the several states shall be at liberty to declare themselves absolved from all obedience to that government.\*

\*For, whenever a question arises between the society at large and any magistrate vested with powers originally delegated by that society, it must be decided by the voice of that society itself; there is not upon earth any other tribunal to resort to.—1 *Blackstone*, 312.

*A declaration of the capability of admission into the confederacy.*

*Art. 7.* Canada, acceding to this confederation, and joining in the measures of the United States, shall be admitted into, and entitled to all the advantages of this union; and shall be equally, with any other of the United States, solemnly bound to a strict observance of and obedience to these articles; as shall be also, any other colony which shall be admitted into this confederacy. The eleven votes in congress shall be increased in proportion as the confederacy is extended: But, except Canada, no other colony shall be admitted into the confederacy without the assent of eleven or more votes, as the case may require, by the confederation being extended.

*The penalty of violating the articles of confederation*

*Art. 8.* For the better assurance of the benefits expected from this confederation, voluntarily entered into by the several states; to guard, as far as may be, against the negligence and weakness of men; and to stimulate the several states to a due, regular and punctual obedience to this confederation, and performance of their several duties herein expressed it is declared, that if any state shall fail in causing its military quota to be duly embodied; or fail in causing its pecuniary quota or proportion of the general tax throughout the United States to be duly levied and paid, in either of such cases the state, so making default, shall, within twelve months thereafter, pay into the treasury office of America, for the use of the United States, in the first case, double the sum of money necessary to its military quota, at the time it should have been embodied; in the second case, double the sum of money its pecuniary quota or proportion of the general tax would have amounted to, if due payment had been made, and which shall be estimated from its last return of inhabitants: And in default of the due payment of either of such penalties, or in case any of the United States shall in any other respect violate any of the articles of this confederation, the congress shall, within one year thereafter, declare such state under the ban of the confederacy, and by the utmost vigor of arms shall forthwith proceed against such state, until it shall have paid due obedience, upon which the ban shall be taken off and the state shall be restored to the benefits of this confederacy.

*A declaration of the obligatory nature of the confederation, and in what manner it is capable of any alteration.*

*Art. 9.* The articles of this confederation shall be strictly binding upon, and inviolably observed

by the parties interested therein: Nor shall any alteration be made in them, or any of them, unless such alteration shall be agreed to in the congress, and allowed by the legislature of every state in the confederacy.

*The rules by which the confederation shall be understood.*

*Art. 10.* To avoid, as far as may be, the dangers that may arise from an erroneous construction of the articles of this confederation, and to prevent a contrariety of opinion upon them, they shall be understood according to the expression and not otherwise. And all acts of the congress and of the committee of the United States, shall be taken only in the same manner.

In solemn confirmation and testimony whereof, we, the delegates for the states of New Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, in congress of the United States, being duly authorised thereunto by acts of the legislature of our respective states, for them and on their behalf, do hereunto sign our names and affix our seals at arms.

Done at \_\_\_\_\_ in the state of \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_ in the year of  
our Lord \_\_\_\_\_ and in the \_\_\_\_\_ year  
of the sovereignty of America.

You must have observed, Mr. Chairman, that my ideas have been collected but to one point—an endeavor to render the plan before us as little liable to objection as I can—I have not presumed to touch its general scheme. I wish to have the opening of a congress altered from November to February, March or April, for the reasons I have assigned: I have chosen March, a month particularly distinguishing the laudable exertions of this state; a month, remarkable for great events respecting the liberties of America; a month, including the date of the declension of *Great Britain*; a month, that ever will be famous for the patriotic execution of a *Roman* tyrant—but I am not obstinate in this choice. I should most readily admit the famous 19th of April—the commencement of the civil war: Or the 4th of July, the illustrious epocha of the sovereignty of America! A day that ought to be held in everlasting remembrance—a day that naturally points out the time for the annual meeting of the congress of America, to watch for the permanency of its independence.

I have increased the least representation in congress, in order to procure a more numerous re-

presentation of the states, and to give efficacy to the mode of trial of disputes between the states: for a numerous representation is a guard against corruption; and nothing should be left at hazard that can be avoided—it seems requisite to declare, that a state shall be bound by the act of the congress, or the committee of the United States, although its representation shall not be present; for this will have a tendency to urge the states to preserve their representation. I think it is utterly impolitic to exclude a member of congress from being nominated to an office, under the United States; for many a man, may be capable of performing much more important service in such a station than in congress: But I have already given my opinion fully on that subject. It seems necessary to the despatch of business, that the president of congress should also be the president of the committee of the United States: For this body is to proceed in the business begun by the other—congress ought to have the power of declaring treason: For the power is a great means of guarding against internal machinations; and it naturally appertains to such a body—An admiralissimo is necessary: for the navy should be of right put upon an equal footing with the army, in point of rank: America must be a great naval power; and every encouragement should be given that she should be soon so—I have mentioned a war and admiralty-office: For such establishments do not seem to be regularly comprehended in the clause, “other committees and civil officers;” the copulative creating an idea of civil committees—The restriction upon the congress nomination to military offices, is grounded upon the reasons I have assigned upon that head—It does not seem any way expedient that congress should have a power of emitting or borrowing more money than the sum they rate as necessary to be raised: And, therefore, they ought to be limited in that point—courts for the trial of piracies, and receiving appeals in cases of capture, should be erected in each state: Because people should not be obliged to seek justice at a distance, when they can with propriety be allowed to procure it at home: This is a fundamental principle of natural right, sanctioned by common law and usage—The law by which the right between states in controversy is to be determined, ought to be specified; and the rule of right not left to the caprice of judges—we cannot but remember the high authority which says, “*Miseri servitus est, ubi jus est, vagum aut incognitum*”<sup>\*</sup> The eleven votes seem absolutely

<sup>\*</sup>Woful is that subjection where the law is uncertain or unknown.—4 Just. 246.

necessary, and perfectly equitable: Can it possibly be thought reasonable, that the southern interest should be judged of and determined upon, without the consent of, at least, half the states principally forming that interest?—It appears evident that the free white inhabitants only of each of the states, should be entitled to the privileges and immunities of free citizens in the others; and that according to the law respecting free white inhabitants in such states respectively—the commercial negotiations of congress, must ever be dilatory in their progress, and their views often unattainable, while exposed to a power, in any of the United States, to lay duties and impositions contrary to the spirit of negotiations manifestly to the general advantage: Such a power therefore should not exist—The greatest obstacles should be laid in the way of public officers receiving any *douceur* from a foreign prince—It seems absolutely necessary, that precedence and rank should be established; for without it jealousies and confusions may arise—The enumeration of the white inhabitants ought to be frequently made, and with the utmost accuracy: This being the best means of enabling the congress to wield the strength of America with equal justice to the several states, and with vigor in defence of the confederacy. And the mode in which this enumeration shall be made, and the general tax shall be raised, ought to be specified: These things are capable of being regulated in an easy, plain, equitable and punctual manner—The unanimous vote is highly expedient in the case of treason: For this is a matter of the most serious importance—The eleven voices should be increased as the confederacy is enlarged: For neither the northern nor southern interest should be effected, but by the consent of at least half the states in such interests respectively—The penal article justifies itself—as does that upon the construction of the confederation, and of the acts of congress and of the committee of the United States.

In addition, sir, to this concise state of my reasons for some of the principal alterations I have made, I must beg leave to be more particular in my arguments in support of others, which I have much at heart and wish to make; because I have not had an opportunity of introducing them with propriety. I will endeavor to be as short as the importance of the subject will admit.

I have excluded those from the privileges of free white inhabitants in the several states who refuse to take up arms in defence of the confederacy—a measure in my opinion perfectly just. It is said,

example is before precept. Let the Quakers take shelter under any text in scripture they please—the best they can find, is but a far-fetched implication in their favor. However, had their precept been in more positive terms, I think I have an example at hand capable of driving them from such a cover. We read that “*Jesus went into the temple of God, and cast out all them that sold and bought in the temple, and overthrew the tables of the money changers.*” Here we see the arm of the flesh raised up, and a degree of hostile violence exercised, sufficient to the end in view: And shall it be said violence is not justifiable? Did not *God* command *Moses* to number “all that were able to go forth in war in *Israel*?” Did not *Moses*, by the Divine order, send 12,000 men to cut off the *Midianites*: And, although “they slew all the males,” were they not reprehended for having “saved all the women alive?” Did not the Almighty command the children of *Israel* that, when they had passed into *Canaan*, “then they should drive out all the inhabitants of the land from before them?” Did not *Moses* direct that, when the people were “come nigh unto the battle,” the *priests* should encourage them, declaring that the *Lord* their *God* was with them “to fight for them against their enemies?” And yet the Quakers have sagaciously found out a few words which, by implication, they contend\* restrain from doing now, what *God* then commanded as just. The grand principles of moral rectitude are eternal. Dare the Quakers contend that the myriads, who have drawn the sword since the christian era are damned for having done so? And unless they maintain this position, they seem to have no reasonable excuse for their creed and conduct. They seem to have forgot that it is written, “how hardly shall they that have riches enter into the kingdom of *God*!” Are there any people upon the face of the earth more diligent after riches than Quakers? We, in this time of calamity, know it to our cost. Without doubt there are many valuable men of that sect: Men of that persuasion are very good citizens in time of peace; but it is their principle in time of war that I condemn. Is there a Quaker who will not bring his action for trespass? Is not this an opposition to force? Here they forget their principle of meekness and non-resistance. The great lord *Lyttleton*, in his dialogues of the dead, tells us, “it is blasphemy to say that any folly could come from the fountain of wisdom. Whatever is

inconsistent with the great laws of nature, and with the necessary state of human society, cannot be inspired by the divinity. Self-defence is as necessary to nations as men. And shall particulars have a right which nations have not? True religion is the perfection of reason. Fanaticism is the disgrace, the destruction of reason.” Than all this nothing can be more just, certain and evident. Can those men reasonably claim an equal participation in civil rights who, under any pretence whatsoever, will not assist in defending them? Shall there be a people maintained in the possession of their riches by the labor and blood of other men? Are not the quakers, some few excepted, the most inveterate enemies to the independence of America? Have they not openly taken part with those in arms against us? I consider them not only as a dead weight upon our hand, but as a dangerous body in our bosom; I would therefore gladly be rid of them. I almost wish to “drive out all such inhabitants of the land from before us.” The *Canaanites* knew not *God*. But the Quakers say they know him, and yet, according to the idea of lord *Lyttleton*, would have gross folly and injustice to proceed from the fountain of wisdom and equity. I entertain these sentiments with a conscience perfectly at ease on this point. If such treatment shall be termed persecution, the conscientious Quakers can never take it amiss, when they recollect that it is said, “blessed are they who are persecuted for *Christ*’s sake.” I do not consider this as such a persecution: But if they should, can they be displeased at being placed in a situation to be blessed? And I would lay it down as a truth, that whoever of that sect should be offended at such treatment, would deserve to be expelled our society, as the buyers, sellers and money changers were cast out of the temple. I am not afraid of any resentments, when it is my duty to act in behalf of the rights and interests of America: I trust I fully demonstrated this resolution when, on the 25th of April, 1776, I had the honor, in the supreme seat of justice, to make the first public declaration in America, that my countrymen owed no allegiance to the king of *Great Britain*.

I would have it a point settled in the confederation, that all general officers shall be elected—eradicating the idea of a promotion to that rank by seniority. The idea is monarchical—I do not recollect that it was admitted in the ancient and wise republics. The great *Hannibal*, when very young, commanded the *Carthagenian* army in *Spain* over the heads of much older officers—and the first *Africanus* thought it no diminution of his honor to

\*Notwithstanding the precept, “he that hath no sword, let him sell his garment and buy one.” *St. Luke*, xxii. 36.

serve under his brother *Asiaticus*. These are illustrious instances of wise policy and honorable moderation—it is needless to give others to the same point. But, at present, officers expect to rise by seniority to a general command; and although it is declared that a generalissimo shall be elected, yet there is but too much reason to apprehend, as this is only a positive exception to the idea of seniority, and therefore scarce sufficient to eradicate the idea of promotion according to seniority, that the next in rank will always expect the election, and will be but too apt to consider himself as ill treated, if passed by. Men, now a days, are fond of being the only judges of their own importance and merit—they generally overrate both. They seem to have forgot that a knowledge of one's-self is the greatest and most difficult that can be acquired; and that it scarcely ever was obtained with any degree of precision. Men are not called into public stations for their own honor or advantage—but merely for the public benefit. The public are therefore the only proper judges who shall serve them, and in what posts particular men shall be placed: And besides, they have a natural right to the service of every man in the community. It was, I think, a *Spartan* maxim, that a man was not born for himself, but for his country: Were we but actuated by this just and noble idea, we might be serenely calm and perfectly safe amidst all the venal exertions of Britain—nay, of the rest of the world combined against us! It is upon this principle the *aborigines* of America act. They rise to authority and command by merit alone: And shall Americans extirpate a glorious plant, the natural product of their country? Shall the uncultivated and rude *Indians*, think more justly and act with more dignity than we, with our improved understandings and boasted civilization? This very question alone should, I think, recal us to the proper line of action, and force us to abandon notions which at once disgrace our country, and expose it to ruin. A colonel of small abilities can do but little harm, in comparison of a weak general at the head of a division of the army, leading on the principal attack, or covering a precipitate retreat.—*Marshal Saxe*, and we need no better authority, says, “he has seen very good colonels become very bad generals.” Can we then expect to see bad colonels become able generals! But it is a point admitted by congress, that election is the best means of procuring an able commander in chief. And why should not this principle equally hold with respect to general officers? Can the generalissimo be so well enabled to defend the con-

federacy, as by being furnished with those men who are most capable of executing his designs? It was upon this principle the invincible *Roman* armies were formed. That government was republic—ours is the same: I would most eagerly adopt a principle, sanctioned as it is by the happy experience of ages. *Montesquieu* expressly says, “the people are very capable of electing generals.” Of right they ought to be permitted to exercise all those powers which they are capable of exercising with propriety.

According to the plan before us, the quotas of the respective states, which I would term the American forces, are to be directed in their operations by congress.—If it is meant, as I suppose it is, that there shall be a body of troops in a state, entirely independent of the command of the civil power, I shall, with the utmost reluctance, yield my assent to the proposition; which, to me, appears dishonorable to the sovereignty of the state, dangerous to its welfare, and inconsistent with the superiority of the civil power. I well remember the feelings of the general court of Massachusetts-Bay, when governor Barnard told them he had no authority to order the king's ships to quit the harbor of Boston. If he, who was but a representative, ought, as the supreme civil officer, to have a power directing the military within his government; à *fortiori*, the several states should possess that power—they are sovereign states. I do not desire that they should absolutely direct such troops: But the executive in each state may, for this purpose, be at least the representative of congress. If the people are to be ruined by a blunder, it will be more natural that they should be ruined by the mistake of their confidential men, than by that of an officer, perhaps a stranger. We have seen a day, when the salvation of this capital, under God, depended, in a manner, upon the authority of the civil power over the troops in garrison: I cannot but wish for a continuance of that command which once has saved us; and which is, as it were, inseparable from the civil power.—I cannot bear the idea of surrendering it so totally as the congress seem to require.

The establishment of a basis for the American naval force is an object of the first importance; and it ought not to be omitted in the articles of confederation. Congress have endeavored to establish a land force; but this, which is of superior consequence, has been passed over almost in silence. For the first, they have provided even in detail; but for the other, only in five words—“to

build and equip a navy"—never was so important a subject more expeditiously despatched. The Roman decree, "*Dant operam consules, ne quid detrimenti capiat respublica*," was a singular model of concise energy: But it must now cease to be so. However, I should have been better pleased had there been a clause added to our maritime provision for manning the navy: This is the grand point—Britain finds it to be so. She can equip ships with ease from her yards: But the great difficulty is to man them. It was not with the phalanx that Greece kept the great king at arm's length—it was not with the legions that Rome acquired Sicily and conquered Carthage—it was not with her battalions that Britain awed Europe: But Salamin, Ecnoma, and La Hogue, were naval actions that decided the superiority of nations. If America is to be secure at home and respected abroad, it must be by a naval force. Shall we then, scarce bestow a thought upon this palladium of our safety? Nature and experience instruct us, that a maritime strength is the best defence to an insular situation. Is not the situation of the United States insular with respect to the powers of the old world: the quarter from which, alone, we are to apprehend danger? Have not the maritime states the greatest influence upon the affairs of the universe? Do not the powers of Europe strain their nerves to render themselves formidable at sea? This, then, is the theatre, as I may say, on which America must appear, if she intends to appear any where, with dignity and importance. Can the proper means of her doing so, be better provided for, than in the confederation of her United States: This act ought to contain all the great lines of her general polity; otherwise it must be imperfect. The nursery of her naval power cannot be better established, than by having it made uniform in all the states. What advantage does not Britain expect from her marine society? What oppression does her people suffer, from the practice of pressing, to man the royal fleets?—An absolute outrage upon civil liberty, and yet often inadequate to the end. The plan I have hinted seems calculated to avoid these evils. The proportion of five in a thousand is small—the allurements are considerable and not expensive—the service is but short. And yet, only estimating the white inhabitants at two millions, after the first sixteen years, ten thousand seamen will annually be created, to give security and importance to America; and in other seven years, in all probability we should have more than double the number of seamen, whose bounden duty it would be to man our fleets, than Britain in her

most formidable hour ever collected, even with the aid of press gangs. The object seems easy to be obtained—the view is magnificently great—surely it is worthy of being seriously contemplated.

The due settlement of the importance of the several states respecting each other, is a matter of capital moment. In congress each state, ought of natural right, to have a weight in proportion to its importance. Can any state be justly entitled to a greater degree of weight? Can any state honestly desire to figure in plumes at another's expense?—What is understood by representation? Is it not a sign of the reality? Ought such a representation to be greater than the reality? Is it not upon this principle, however abused, that the English parliament was formed? Has not this principle been adopted in all the houses of assembly that ever sat upon this continent? Why are we now to deem that unjust, which till now, we universally acknowledged as a certain and beneficial truth? What is called the rotten part of the English constitution—is it not an unequal, and therefore an unjust representation of its territory and wealth? Has not lord Chatham been censured for not having, during his all-powerful administration, attempted to cut off that rotten member from the body politic—an amputation which was thought could scarce fail of being performed when undertaken by the hand of so great a man? Can ingenuity itself find an important distinction between the two cases? In both, the great states on the one hand, and the great counties, cities and boroughs on the other, have less weight; and the small states, counties, cities and boroughs, have more than they ought—such is the point in question.—And shall we designedly contract a fatal disease which we know has long been consuming the vital vigor of the English constitution, and is but too likely to destroy it? Shall our wise men persist in endeavoring to create that which it would have been, ILLUSTRIOUS AS HE IS, lord Chatham's greatest glory to have endeavored to destroy?—I am hurt by the idea—the contrast fills me with pain and anxiety—however, I do not despair of relief. There is a resolution of the first congress that was held after the British blockade of Boston, from which I have great expectation. It was the first resolve passed by that venerable body; and it is couched in these terms: "Resolved, that, in the determining questions in this congress, each colony or province shall have one vote—the congress not being possessed of, or at present able to procure proper materials for ascertaining the importance of each colony."—Hence, it is evident, what was their idea of a just representation; and I



hope it will yet be adopted. The Lycian republic was a confederation of three and twenty towns: The great ones had three voices--the middling, two--and the small, one: contributing to the public expense in proportion to their representation. We are to contribute according to our abilities, and why should we not have a weight in proportion to our importance?--If each state must have the same weight, let each contribute the same sum. We are infant states, but we have the wisdom of ages before our eyes. Let us not despise what is invaluable. It is the best chart by which we can steer along the difficult coast of government, and venture to run our ship of state into safe port. By this we may probably find an haven, that will invite the people of all nations to take shelter in it against the furious storms of tyranny. But, without it, we shall be but too likely to be shipwrecked. Let us therefore adopt uniform and experienced principles throughout our voyage: Let us not trust to principles which clash and cannot form a perfect system. In the present case, either contribute to the public aid, according to ability, and have a corresponding weight--or, have equal weight, and contribute the same sum: Either is a perfect system: But the first part of each must ever continue irreconcilable to justice, and the known rule of right. The sage Montesquieu, having maturely considered the nature of a confederated government, particularly the Empire and Holland, says, "were I to give a model of an excellent confederate republic, I would pitch upon that of Lycia." Can we do better, sir, than adopt the governing principle in the most perfect model of a confederacy?

I will now beg leave to apply this principle to the rate for the public aid, established by congress on the 22d of November last.

New Hampshire . . . . .	200,000
Massachusetts Bay . . . . .	820,000
Rhode Island, and Providence Plantations	100,000
Connecticut . . . . .	600,000
New-York . . . . .	250,000
New Jersey . . . . .	270,000
Pennsylvania . . . . .	620,000
Delaware . . . . .	60,000
Maryland . . . . .	520,000
Virginia . . . . .	800,000
North-Carolina . . . . .	250,000
South Carolina . . . . .	500,000
Georgia . . . . .	60,000

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5,000,000

These states I would class in three divisions.

The small ones should be those not, by a complete proportion, exceeding four proportions of the smallest: This class would, for the present, contain Georgia, North Carolina, Delaware, New Jersey, New York, Rhode Island and New-Hampshire. The middling should be those states, by a complete proportion, exceeding four, and not in the same manner exceeding ten proportions: This class would comprehend South Carolina, Maryland, Pennsylvania and Connecticut. The great states should be ascertained by their exceeding eleven proportions of the smallest: This third class would include Virginia and Massachusetts-Bay. The first class should have three delegates to each state--the second, six--the third, nine--making a congress of sixty-nine delegates, who should by a majority determine all questions except those contained in the restrictions, which should be determined by the voices of the states. The representation of each state should be increased or lessened, in proportion to the aid actually paid; and this ought to be the barometer of importance, stimulating each state to its utmost contribution.

These sentiments upon the subject of a confederation, sir, are the result of a few days reflection, amidst a variety of business, public and private: It is, indeed, not long since the plan from the congress has been received. I am fully sensible, that my ideas, now thrown out, will admit of important amendments, and therefore I do not presume to offer them for consideration. I have taken the liberty to drop them only because it was my duty to do so: and I think, if the states shall be allowed to vote according to their importance, the sketch I have drawn might form a beneficial confederation. I observe the plan before us contains thirteen articles: I can have no objection to a number allusive to the confederacy proposed. My sketch contains ten articles. Nor can I suppose that number will be a matter of difficulty. In collecting the materials, I arranged them under sixteen articles; but in condensing the subject, it accidentally was comprised in ten, altho' I strove to reach the confederated number. However, the accident instantly made me recollect, that the divine law to man was in ten articles--and that the Roman law was originally written on ten tables.--I confess, sir, I was not displeased--I am sure the pious men of antiquity would have considered the accidental ten articles of confederation, as an omen of the beneficial nature of their contents. I may add, the number thirteen may, and we all hope will, cease to be allusive to the existing confederacy: But the number ten will ever allude to the

eternal monuments of Divine justice, and human wisdom—Excuse, sir, this excursion to Sinai and Rome, I will return to my proper subject; nor will I detain your attention but a moment.

I have now, Mr. Chairman, with profound humility, given my thoughts upon the confederation of the United States. Thoughts intent upon promoting and securing the interests of my native country—thoughts equally solicitous for the grandeur of America.—In delivering them, I trust I have, on that point, fully discharged my duty to my constituents—to the state—to the continent—to posterity. I have no intention to derogate from the dignity or the merit of congress: I have zealously supported the one, and I shall ever be ready, gratefully to pay any tribute of applause to the other. It is my undoubted privilege as a freeman to speak plainly—it is my bounden duty to do so—nor can our supreme rulers, constituted only for the purpose of preserving to us our civil rights, be displeased at such a conduct: The occasion is of the first importance. I meant to speak in terms of respect: if any thing of a contrary nature escapes me, I am sorry and beg pardon for it—it is not my intention to offend any individual, especially the supreme authority. But, sir, I scarce think the moment is at hand, for the ratification of a confederacy. Rather than adopt the articles before us, I would yet a little longer trust to the ties that now bind America in union. The American confederacy should be the effect of wisdom, not of fear—an act of deliberation, not of hurry. It should be a noble monument attracting the respect of the world—and capable of drawing forth the admiration and gratitude of our posterity.—Upon the whole, sir, this is scarce a time to deliberate, but it is certainly a time to act—it is my great aim, that America shall be independent—free—illustrious and happy!

I cannot now, sir, sit down without expressing to the committee, the concern I feel for having taken up so much of their time as I have. I am sensible long discourses are often heard with impatience: But the stupendous importance of this subject, and my zeal in endeavoring to discharge my duty, will I hope plead in my favor. I beg leave to return my most respectful thanks, for the attention and patience with which I have been heard.

### Address

To their excellencies RICHARD VISCOUNT HOWE, admiral, and WILLIAM HOWE, esq. general, of his Britannic majesty's forces in America.

MY LORD AND SIR—Your declaration at New-York, has reached this place. It has occasioned surprise and concern. The known honor and abilities of your excellencies, and your declaration, appear perfect contrasts. The latter is an unnatural production. Hurt, as I am, to see your names so prostituted, I cannot restrain myself from making a few remarks to your excellencies upon a subject which, by endangering your reputation, distresses every generous mind. I shall first state your declaration:

“By RICHARD VISCOUNT HOWE, of the kingdom of Ireland, and WILLIAM HOWE, esq. general of his majesty's forces in America, the king's commissioners for restoring peace to his majesty's colonies and plantations in North America, &c. &c. &c.

#### DECLARATION.

“Although the congress, whom the misguided Americans suffer to direct the opposition to a re-establishment of the constitutional government of these provinces, have disavowed every purpose of reconciliation not consonant with their extravagant and inadmissible claim of independence,—the king's commissioners think fit to declare that they are equally desirous to confer with his majesty's well affected subjects upon the means of restoring the public tranquility, and establishing a permanent union with every colony as a part of the British empire. The king being most graciously pleased to direct a revision of such of his royal instructions to his governors as may be construed to lay an improper restraint on the freedom of legislation in any of his colonies, and to concur in the revisal of all acts by which his majesty's subjects there may think themselves aggrieved, it is recommended to the inhabitants at large, to reflect seriously upon their present condition and expectations, and judge for themselves, whether it be more consistent with their honor and happiness to offer up their lives as a sacrifice to the unjust and precarious cause in which they are engaged, or return to their allegiance, accept the blessings of peace, and to be secured in a free enjoyment of their liberties and properties upon the true principles of the constitution.

“Given at New-York, 19th September, 1776.

“HOWE.

“W. HOWE.

“By command of their excellencies, STRAGHEY.”

And now, not to detain your excellencies by making observations upon Lord Howe's not assuming his military title, displaying the nature of his supreme hostile command in America, by which unusual and designed omission, the ignorant, seeing

his name contrasted with that of a general clothed in all his terrors, may be entrapped to believe that his lordship is to be considered in a more amiable point of view, a mere commissioner only, for restoring peace, without any military command to intimidate and coerce. Not to wound your delicacy, by admiring the wisdom of your appealing from the congress to people confessed by you to be directed by that honorable assembly: My remarks shall be confined to the more material parts of your declaration, which, I am sorry to say, are in every respect unworthy your good sense and high characters.

Your excellencies "think fit to declare," that you are desirous "of restoring the public tranquillity." But is the end your excellencies aim at our honor and advantage? Is it to give a free scope to our natural growth? Is it to confirm to us our rights by the law of nature? No!—It is to cover us with infamy. It is to chill the sap, and check the luxuriance of our imperial plant. It is to deprive us of our natural equality with the rest of mankind, by "*establishing*" every state "as a part of the British empire." In short, your excellencies invite men of common sense, to exchange an independent station for a servile and dangerous dependence? But, when we recollect that the king of Great Britain has, from the throne, declared his "firm and stedfast resolutions to withstand every attempt to weaken or impair the supreme authority of that legislature over all the dominions of his crown:" that his hirelings in parliament and tools in office, abhorred by the English nation, have echoed the sentiment; and that America, for ten years has experienced that king's total want of candor, humanity, and justice—it is, I confess, a matter of wonder, that your excellencies can submit to appear so lost to decency as to hold out subjection as the only condition of peace: and that you could condescend to sully your personal honor, by inviting us to trust a government in which you are conscious we cannot in the nature of things place any confidence—a government that you are sensible has been, now is, and ever must be jealous of our prosperity and natural growth—a government that you know is absolutely abandoned to corruption!—Take it not amiss, if I hint to your excellencies, that *your very appearing* in support of such a proposal, furnishes cause to doubt even of your integrity; and to reject your allurements, least they decoy us into slavery.

The declaration says, "the king is most graciously pleased to *direct a revision* of such of his royal instructions to his governors," &c. "and to

*concur in the revival* of all acts by which his majesty's subjects may think themselves aggrieved."

But what of all this. Your excellencies have not told the people, who "think themselves aggrieved," that they are to be a party in the revision. You have not even told them who are to be revisors. If you had, it would be nothing to the purpose; for you have not, and *cannot* tell them and *engage* that even any of the instructions and acts, being revised, shall be revoked, and repealed; *particularly those* by which people "may think themselves aggrieved." But, if such are not to be repealed, why have you mentioned "*think themselves aggrieved?*" If they are intended to be repealed, why did not your excellencies come to the point at once and say so?

—It is evident your excellencies are by your superiors precipitated into a dilemma. You have not been accustomed to dirty jobs, and *plain dealing* does not accord with your instructions; otherwise, in the latter case, I think you are men of too much sense and honor to have overlooked or suppressed so material a point of information. However, you say instructions and acts are to be revised: We see that you have laid an ambush for our liberties; the clause is carefully constructed without the least allusion to the revisors, or to the words redress, revoke, repeal. In short, it appears to be drawn up entirely on the plan of a declaration by king James the second after his abdication, as confidentially explained by James' secretary of state, the earl of Melford, to lord Dundee in Scotland. For Melford writes to Dundee, "that notwithstanding of what was promised in the declaration, *indemnity* and *indulgence*, yet he had couched things so that the king *would break them* when he pleased; nor would he think himself obliged to *stand to them*." And your excellencies have "*couched things so*," that more words upon this subject are unnecessary.

"It is recommended to the inhabitants at large, to reflect seriously upon their present condition."

Is it possible your excellencies can be serious, and mean any thing by this recommendation? Can you be ignorant, that ever since the birth of the stamp-act, the inhabitants at large have been reflecting upon their deplorable condition? Can you have an idea that, after such a length of time, during which they have been continually kept to their reflections, by the declaratory law, the tea-act, the Boston port bill, and those then passed to annihilate the charter of Massachusetts-Bay, the Quebec bill to establish popery, the fishery-bill to coerce by famine, the British commencement of the late civil war, and the act of parliament in December last,

declaring the inhabitants rebels—I say, after *such a series of causes for reflection*, and that your excellencies *now find us in arms* against you, determined on independence or death, can you possibly entertain an idea that we have not reflected seriously? On the contrary you know, that we are prepared to offer up our lives in evidence of our serious reflections! In addressing a world, you ought to have some attention to the propriety of your recommendations, if only from a regard to your own reputation.

You are pleased to term our cause “unjust.” In this there is nothing so surprising, as your being lured to give such a sentiment under your hands—signing your own disgrace with posterity. You know, that the virtuous characters throughout Europe, on this point differ with your excellencies; and I most respectfully submit, whether there is not some little degree of presumption in your signing an opinion, in contradiction to the opinion of thousands, who, without derogating from your excellencies, are at least as well able to judge upon the point as you are?

But you add, that our cause is “precarious.” Allow me to make a *proper return* to your excellencies by informing you, that all the affairs of men are precarious, and that war is particularly so. However, if your excellencies meant to insinuate that our cause is precarious from an inability in us to maintain it, I beg leave to ask general Howe what progress his arms made during his command at Boston: And what shining victories, and important conquests you have achieved since your junction at Staten-land? The eulogium,

——— *dix fulmina belli*

*Scipiadus* ———

cannot yet be applied to your excellencies. General Howe’s repulse from the lines on Long-land, and his victory over the advanced guard of 3000 men, reflect no great degree of glory on the corps of at least 12,000 that he commanded. Nor can you boast much of the action on New-York-land on the 15th September, when a few more than 800 Americans, attacking three companies of light troops supported by two regiments, the one Scotch, the other Hessian, drove them from hill to hill back to your lines, and carried off three pieces of brass cannon as trophies of their victory. And when general Washington, on the second of October, caused a large detachment to draw up to Harlaem plains to cover the inhabitants between the two armies, while they carried off their effects, the march and continuance of the British troops in

order of battle, within long shot, without firing a gun to interrupt the service, is at least some slight degree of evidence that they respect and stand in awe of the American arms. In short, without being unreasonable, I think I may be allowed to say, that these particulars do not shew, that our cause is so precarious as your excellencies would insinuate it to be; and to recommend that your excellencies “reflect seriously upon your present condition,” and abandon “the unjust cause in which you are engaged” while you yet may preserve your reputation from the reproaches of posterity.

Your excellencies call upon the inhabitants at large “to return to their allegiance.” It is as if you had commanded a body of troops to advance to the assault, before you had put them in order of battle. I tell your excellencies, that protection must *precede* allegiance; for the latter is *founded* on the benefit of the former. That the operations of the forces by sea and land under your orders, demonstrate that your king is not our protector. And, that the allegiance of America to the king of Great Britain is *now utterly out of the question*.

But you attempt to allure the inhabitants by telling them they may “be secured in a free enjoyment of their liberties and properties, upon the true principles of the constitution.” Will your excellencies tell us where those principles are to be found? You must say they are not to be found in the present British government. Do we not know that the majority of the two houses of parliament are absolutely under the king of Great Britain’s direction?—They make and repeal laws; they agree with or reject motions; they vote money *even without limitation of sum*, at the pleasure of that king’s minister, in whose pay they actually are; and your excellencies as men of honor *dare not deny these things*. Will you then say that, where there is such a dependence, the true principles of the constitution operate! The history of the present reign, all Europe, would witness against you. Those principles have been long despised by the rulers, and lost to the people—otherwise, even at the commencement of the present reign, we should not have seen the dismissal of the virtuous chancellor of the exchequer, *Lexan*, because he would not quit his seat in parliament at the instigation of the *last* prince of Wales; nor the massacre in St. George’s fields and the royal thanks to the assassins; nor the repeated and unredressed complaints to the throne; nor the unheard of profusion of the public treasure, far exceeding the extravagance of a Caligula or a Nero; nor the present ruinous situation of Great Britain; nor the present war in

America, for the worst of purposes kindled by your king. Can your excellencies be so wanting to yourselves, as, at this time of day, on the part of your master, seriously to talk to us of a security upon the true principles of the constitution! Did it never strike you that the Americans would expect to see such principles operating in England, before they could be duped into a belief that America could possibly feel their effects from the dark recess of the royal palace? The lord mayor of London has openly charged lord North, and the lords of the admiralty, with licensing ships to trade to all parts of America, in direct disregard, contempt, and defiance of an act of parliament to the contrary, passed so late as December last. And yet your excellencies do not scruple to talk to us of a security upon the true principles of the constitution!—Let the fountain be sweet, and then its stream may be salutary.

Your excellencies say "the king is most graciously pleased to direct a revision" of instructions and acts. If you really mean 'o conciliate, why will you insult the inhabitants at large. It was "the king's" bounden duty to have directed, not only a revision, but an amendment of his instructions; and to have recommended a repeal of the acts when the people FIRST complained of them. But he, having been criminally deaf to the cries of the injured, to terrify them into silence, having burnt their towns—restrained their trade—seized and confiscated their vessels—driven them into enormous expenses—sheathed his sword in their bowels—and adorned the heads of their aged, women and children, with a cincture made by the scalping knife of Mrs ALLY the Indian savage—you now tell these injured people, that "the king is graciously pleased to direct a revision!"—His very mercies are insults!

And so your excellencies, besides your military commands as admiral and general, are also "commissioners for restoring peace." Is there not some error in this title? Ought we not instead of "peace" to read *tyranny*? You seem armed at all points for this purpose; and your very language detects the latent design. But you are commissioners, and for the important purpose of "restoring peace," you are honored with a power—"to confer." And you have condescended to be mere machines through which, as through speaking trumpets, words are to be sounded from America to Britain! How much lower is it possible for your excellencies to degrade yourselves in the eyes of the world!—By this, it is most evident, the British king has not one generous thought respecting America. Nor

does he mean to grant terms upon the true principles of the constitution. For, if to grant such terms was *bona fide* the intention of your master without doubt you would have been vested with competent powers. But he plainly means to grant nothing that he can possibly avoid; and therefore he would have the matter of negotiation drawn into length under his own eye. Can we place any confidence in such a prince? His aim is to divide not to redress, and your excellencies declaration is but a continuation of lord North's conciliatory plan.

Thus, while we remember that lord North declared, on the 20th of February, 1775, that his famous conciliatory plan was rather calculated to break a link in the American chain of union, than to give satisfaction to the people: and that the exercise of the right of taxing every part of the British dominions must by no means be given up: the lord Mansfield, on the third reading of the bill declaring war against the united colonies, affirmed that he did not consider who was originally in the wrong, they were now to consider only where they were, and the justice of the cause must now give way to their present situation: when we consider the king of Great Britain's speech to the parliament on the last of November, and the commons address and his answer on the 7th of December, 1774—the commons address of the 9th of February, 1775, as the royal answer: and the speech from the throne at the last opening of the parliament, October the 26th, 1775—all declaring an unalterable purpose to maintain the supreme authority of that legislature over all the dominions of the crown—in other words, their unalterable purpose, to BIND US IN ALL CASES WHATSOEVER: when we see your hostile array and operations, in consequence of those declarations: I say, when we consider these things we can be at no loss to form a just idea of the intentions of your king; or to conceive what your excellencies mean, by "the true principles of the constitution." Nor are we to be caught by any allurments your excellencies may throw out—you confess, and we know that you, as commissioners, have not any power to negotiate and determine anything.

But, unanswerable as the reasons are against America returning to a subjection under the British crown, now in fact become despotic—and America, after unheard of injuries, infinite toil, hazard and expense, her inhabitants called cowards by your masters servants, civil and military, having declared herself independent—did not your excellencies feel a little for our honor, when you at the

head of your armies, held out to us, *subjection and peace!*—Did not you feel the dignity of your characters affected when you, under *the guise of a security* upon the true principles of the constitution, *recommended* to “the inhabitants at large” to rescind their decree, and *BY THEIR OWN MOUTHS* DECLARE themselves *the most contemptible people* in history, which gives no example of such baseness—*RENDER* their name a *term of reproach* among all nations—*and FORBID* each other from placing any, the least degree of confidence in, and *all foreign states from paying* the least degree of credit to, *their most solemn declarations!* In short, *to submit* to a government abandoned to corruption, lost to a sense of justice, and already but a step behind absolute despotism—a government that has long been and ever must be jealous of our rise, and studious *to depress our natural growth!*—Did not your excellencies blush and shrink *within yourselves*, when you asked men, who had been almost ruined by your *gracious* master, to abandon the honorable and natural station of independence, and stoop to kiss *his hand*, now *daily BATHED* in, and which ever must continue *stained* by the blood of a friend! a brother! a son! a father!

That your excellencies may “reflect seriously” upon “the unjust cause in which you are engaged;” and that the name of HOWE may be enrolled with the names of MARLBOROUGH and EFFINGHAM, are the wishes of,

A CAROLINIAN.\*

South Carolina,  
Charleston, October 22, 1776.

### An Eulogium

Of the brave men who have fallen in the contest with Great Britain: Delivered by JUDGE BRACKENRIDGE, on Monday, July 5, 1779, before a numerous and respectable assembly of citizens and foreigners, in the German Calvinist church, Philadelphia.

—Heroes then arose:  
Who, scorning coward self, for others liv'd,  
Toi'd for their ease, and for their safety bled.

THOMSON.

It is the high reward of those who have risked their lives in a just and necessary war,† that their names are sweet in the mouths of men, and every age shall know their actions. I am happy in having it in my power, before a polite assembly, to express what I think of those who have risked their lives in the war of America. I know my abilities rise not to a level with so great a subject,

\*“Judge Drayton.”—EDITOR.

†TACITUM—

but I love the memory of the men, and it is my hope, that the affection which I feel, will be to me instead of genius, and give me warm words to advance their praises.

I conceive it as the first honor of these men that, before they engaged in the war, they saw it to be just and necessary. They were not the vassals of a proud chieftain rousing them, in barbarous times, by the blind impulse of attachment to his family, or engaging them to espouse his quarrel, by the music and entertainment of his hall. They were themselves the chieftains of their own cause, highly instructed in the nature of it, and from the best principles of patriotism, resolute in defence. They had heard the declaration of the court and parliament of Great Britain, claiming the authority of binding them in all cases whatsoever. They had examined this claim, and found it to be, as to its foundation, groundless; as to its nature, tyrannical, and in its consequences, ruinous to the peace and happiness of both countries. On this clear apprehension and decided judgment of the cause, ascertained by their own reason, and collected from the best writers, it was the noble purpose of their minds to stand forth and assert it, at the expense of fortune, and the hazard of their lives.

These brave men were not soldiers by profession, bred to arms, and from a habit of military life attached to it. They were men in the easy walks of life; mechanics of the city, merchants of the counting house, youths engaged in the literary studies, and husbandmen, peaceful cultivators of the soil. Happy in the sociability and conversation of the town, the simplicity and innocence of the country village, or the philosophic ease of academic leisure, and the sweets of rural life, they wished not a change of these scenes of pleasure, for the dangers and calamities of war. It was the pure love of virtue and of freedom, burning bright within their minds, that alone could engage them to embark in an undertaking of so bold and perilous a nature.

These brave men were not unacquainted with the circumstances of their situation, and their unprepared state of war. Not a bayonet was anvilled out, not a fire-arm was in their possession. No redoubt was cast up to secure the city, no fort was erected to resist invasion, no gun mounted on the battery, and no vessel launched upon the stream.

The power of Britain, on the other hand, was well known, and by the lightning of her orators, in a thousand writings and harangues, had been

thrown, in full force, upon their minds. They were taught to believe her, (what indeed she was) old in arts and in arms, and enriched with the spoils of a thousand victories. Embraced with the ocean as her favorite, her commerce was extensive, and she sent her ships to every sea. Abounding in men, her armies were in full force, her fleets were completely manned, her discipline was regular, and the spirit of her enterprize, by sea and land, had, in most cases, insured her successes.

The idea of resistance to the power of Britain was indeed great—but the mighty soul of the patriot drank it in, and, like the eagle on the mountain top, collected magnanimity from the very prospect of the height from which he meant to soar. Like the steed who swallows the distant ground with his fierceness,\* he attempts the career, and poured himself upon the race.

The patriot quits his easy independent walk of life, his shop, his farm, his office and his counting house, and with every hope and every anxious thought, prepares himself for war. The materials of gun powder are extracted from the earth; the bayonet is anvilled out; the fire-arm is manufactured in the shop; the manual exercise is taught; the company is formed in battalion; the battalion is instructed to manœuvre on the field; the brigade is drawn forth; and the standard of defiance is planted on the soil.

Shall I mention the circumstances of the day when the sword was drawn, and the first blood was shed; and shall I trace the progress of the war in the course of five campaigns? The narration would require the space of an entire day: I can mention but the sum of things; and only tell you, that the inroad of the foe has been sustained upon the plain, and the forward and impetuous bands have been driven over the disdaining ground which they had measured in advance. The hill has been defended, and the repulsed and rallying foe has been taught to understand, that the valor of America was worthy of the cause which her freemen have espoused. The wilderness has been surmounted in the march. It has been fought, foot to foot, and point to point, in skirmishes, and night surprises, and in pitched battles, with alternate hope and dubious success. The enemy, beaten in one state has retired to a second, and beaten in the second, he has returned to the first; beaten in every state he has sought the water, and like a sea monster rolling to the deep, has washed his wounds in the brine of ocean. Rising from the ocean he has sought the land, and ad-

vanced with a slow and suspicious step upon the hostile territory. War is again arisen, and it has been fought from spring to autumn, and from autumn to spring, through the heat of summer and the inclemencies of winter, with unabated ardor and unshaken perseverance. What tract of country has not been marked with the vestiges of war? What ground has not been cut with trenches?—What hill has not been covered with redoubts?—What plain has not been made the scene of the engagement? What soil of our whole earth has not been sowed with ball?

These have been the toils of the heroes of our army; but the brave men whom we this day celebrate, have added to their toils the loss of life. They have fallen in the contest: These of them in the long and laborious march: These by the fever of the camp: These have fallen when, advancing on the enemy, they have received the blow beyond in their breast; or high in hope, and anxious of victory, they have dropt by the cannon or the musket ball.

For what cause did these brave men sacrifice their lives? For that cause which, in all ages has engaged the hopes, the wishes, and endeavors of the breast of men—the *cause of liberty*. LIBERTY thou art indeed valuable; the source of all that good and great upon the earth!—For thee, thou patriot of America has drawn his sword, and is fought and has fallen.

What was in our power we have done with regard to the bodies of these men; we have paid them military honors; we have placed them in the native earth; and it is with veneration that we view their tombs upon the furzy glade, or on the distant hill. Ask me not the names of these. The muses shall tell you of them, and the bards shall woo\* them to their sons. The verse which shall be so happy as to embrace the name of one of these shall be immortal. The names of these shall be read with these of Pelopidas, Epaminondas, as the worthies of the world. Posterity shall quote them for parallels, and for examples. When they mean to dress the hero with the fairest praise they shall say he was gallant and distinguished in his early fall, as Warren; prudent and intrepid as Montgomery, faithful and generous as Macpherson; he fell in the bold and resolute advance, like Hasl and like Mercer; he saw the honor which his valor had acquired, and fainted in the arms of victory like Herkimer: having gallantly repulsed the foe he fell covered with wounds, in his old age, like Wooster.

\*Book of Job.

\*Plinio.

The names of these brave men shall be read; and the earth shall be sensible of praise where their bodies are deposited. Hill of Boston,\* where the God of arms gave uncommon valor to the patriot! Here the muses shall observe the night, and hymn heroic acts, and trim their lighted lamps to the dawn of morning: The little babbling mystic brook, shall bear the melody, and stealing with a silver foot, shall tell it to the ocean. Hills within prospect of the York city, where the enemy, rejoicing at his early strength, adventured and fought, or where, refusing the engagement he fled, with precipitation to his ships! On you the tomb of the hero is beheld, and fancy walking round covers it with shades. Grounds in the neighborhood of this city,† where the foreigner shall enquire the field of battle, and the citizen shall say with conscious pride, as if the honor was his own, this is the tomb of Witherapoon; that is the ground where Nash fell! Plains washed by the Ashley and Cooper, and before the walls of Charlestown!—Here has the hero fallen, or rather he has risen to eternal honor, and his birth place shall be immortal. His fame, like a vestal lamp, is lighted up: It shall burn, with the world for its temple—and the fair assemblies of the earth shall trim it with their praise.

Having paid that respect to the memory of these men, which the annual return of this day demanded, it remains that we soothe the grief of those who have been deprived of a father, bereaved of a son, or who have lost a brother, a husband or a lover in the contest. Fathers, whose heroic sons have offered up their lives in the contest; it is yours to recollect, that their lives were given them for the service of their country. Fathers! dismiss every shade of grief; you are happy in having been the progenitor of him who is written with the heroes of his country.

Sons! whose heroic fathers have early left you, and in the conflict of the war, have mixed with departed heroes; be congratulated on the fair inheritance of fame; which you are entitled to possess. If it is at all lawful to array ourselves in borrowed honor, surely it is best drawn from those who have acted a distinguished part in the service of their country. If it is at all consistent with the feelings of philosophy and reason to boast of local glory, surely it is most allowable in those who boast of it as flowing from such source. We despise the uninstructed mind of that man who shall obtrude upon our ears the ideas of a vain

ancestral honor; but we love the youth, and transfer to him the reputation of his father, who, when the roth and haughty citizen shall frown upon him as ignobly descended, shall say, "I had a father who has fallen in the service of his country."

When after times shall speak of those who have risen to renown, I will charge it to the golden winged and silver tongued bards, that they recollect and set in order every circumstance; the causes of the war; early and just exertions, the toils, hazardous achievements, noble resolution, unshaken perseverance unabated ardor; hopes in the worst of times, triumphs of victory; humanity to an enemy: All these will I charge it, that they recollect and set in order, and give them bright and unsullied to the coming ages. The bards I know will hear me, and you, my gallant countrymen, shall go down to posterity with exceeding honor. Your fame shall ascend on the current of the stream of time: It shall play with the breezes of the morning. Men at rest, in the cool age of life, from the fury of a thousand wars finished by their fathers, shall observe the spreading ensign. They shall hail it, as it waves with variegated glories; and feeling all the warm rapture of the heart, shall give their plaudit from the shores.

### George Mason, of Virginia.

MR. NILAS,

Sir: The emancipation of the states of North America, must ever be regarded as one of the most memorable events recorded in the annals of the human race. The revolutions, which have embroiled and desolated the great nations from which they sprang, are acknowledged to have received their first impulse from the principles and events of the American struggle. The grave has closed upon a great majority of the leaders in the American revolution; and the characters of the founders of our independence and freedom are beginning to be contemplated with the severe impartiality of a distant posterity. The passions which buoyed, annoyed, or infested their individual fame have subsided. Each is receiving a settled and mellow lustre; and a just judgment is already busily engaged in assigning the degree of estimation and respect which a grateful posterity should continue to render to the memory of each of those whose efforts have obtained so many blessings and such everlasting glory for this nation.

Among the conductors of those important events, the name of *George Mason*, must always hold a distinguished place. An exhibition of character,

\*Bunker's hill.

†Philadelphia.



in a public station, may be calculated to give an impression of the profoundest respect; but, the sincerest, and best affections of the heart can only be won by those traits, which are developed when the individual has been divested of the imposing forms and circumstances of place and office. It is for these reasons, as well as for the rays of light which they shed upon the most interesting portion of the history of our country, that I send you the following papers.

*George Mason*, their author, was an independent planter, resident in Fairfax county, Virginia, his native state, when the revolution commenced. He was a man endowed by nature with a vigorous understanding, which had been well cultivated by a liberal education. He was a sound constitutional lawyer, although he had not practised or been bred to the profession. His mind had, evidently, been well stored from the best political writers of his time. In temperament he was, like the younger Cato, constitutionally stern, firm, and honest; and in all the affairs of life, in which he was engaged, as well private as public, he was habitually, minutely, and critically clear, punctual, exact, and particular. He was a member of the first conventions and assemblies elected by the people independently of the colonial authorities. He chose and valued most, the station of a representative of the people; because he thought it most honorable, and one where he could be most useful; nor did he ever consent to accept of any other, but once, when he acted as a commissioner to adjust the navigation and boundary, between Maryland and Virginia. He was a man of the people in spirit and in truth; and every act of his life incontestably evinces, that in *their* cause he never once, or for a single moment, trembled, hesitated or wavered.

Many intelligent foreigners, and some of our own countrymen, whose judgments have been confused or perverted by aristocratic principles, entertain a belief, and propagate the opinion, that our liberties were principally established by the integrity, wisdom, and forbearance of our *military leaders*. To such it will be particularly instructive to attend to the first of the following letters from this venerable patriot; written at a time, and under circumstances singularly impressive and affecting. In a ripe old age, chastened by experience, when the hand of Providence had visited his household with such an affliction as to induce him to desire no more the return of hilarity to his heart, he seats himself in his closet to unbosom himself to his friend;

to tell him of his political opinions and principle and to speak of the sentiments, feelings, and probable fortunes of his country. This letter, which is so highly honorable to its author, furnishes conclusive proof, that all the chiefs, as well *military* as civil, were guided and controuled by the people and bears ample testimony to *their* virtue and *their* glory.

He was a member of the convention which formed the present constitution of the United States and appears to have been deeply, and sincerely impressed with the magnitude of the undertaking. He was afterwards a member of the convention of Virginia by which it was ratified, which he actively and firmly opposed, without previous amendments. He was a most decided enemy to all *constructive* and *implied* powers. And it is remarkable, that he was the author of some, and the warm advocate of every amendment since made to it. His friend and coadjutor, the illustrious *Henry*, poured forth the boundless wealth of his impassioned eloquence in opposition; he charmed, enchanted, or won over many of his auditors to withhold their assent from the proposed plan of government. But, when *Mason* spoke, he seemed to cite his hearers severally to the bar of reason and truth, and imperatively to demand of them to produce the reasons and grounds upon which they proposed to tolerate the pernicious principles he denounced. *Henry* delighted, astonished, and captivated. *Mason* stirred the house, and challenged every friend of the new constitution to stand forth; at the same time, that he made them feel, they would have to meet an antagonist whom it was difficult to vanquish, and impossible to put to flight; such was the clear, condensed, and dauntless vigor he displayed.

*George Mason* was a member of that convention of Virginia, which, on the fifteenth day of May 1776, declared that state independent and formed the constitution by which it is still governed. And to him belongs the honor of having draughted the first declaration of rights ever adopted in America, of which the following is a copy. The few alterations made by the convention, which adopted it unanimously on the twelfth day of June, 1776, and made it a part of the constitution of Virginia, where it yet remains, are noted. This declaration contains principles more extensive, and much more perspicuously expressed than any then to be found in the supposed analogous instruments of any other age or country.

The English magna charta was, strictly speaking, a contract between an assemblage of feudal

lords and a king, not a declaration of the rights of man, and the fundamental principles on which all government should rest. "It was not so much their intention to secure the liberties of the people at large, as to establish the privileges of a few individuals. A great tyrant on the one side, and a set of petty tyrants on the other, seem to have divided the kingdom; and the great body of the people, disregarded and oppressed on all hands, were beholden for any privileges bestowed upon them, to the jealousy of their masters; who, by limiting the authority of each other over their dependents, produced a reciprocal diminution of their power."

The articles drawn up by the Spanish junta, in the year 1522, under the guidance of the celebrated Padilla, are much more distinct and popular in their provisions than those of the English magna charta. But, although it is admitted, that the principles of liberty were ably defended, and better understood, at that time in Spain, than they were for more than a century after, in England, the power of Charles 5th proved to be irresistible, the people failed in their attempt to bridle his prerogative, and their liberties were finally crushed.

The famous English bill of rights, sanctioned by William and Mary on their ascending the throne, and which, under the name of the petition of rights, appears to have been projected many years before by that profound lawyer, sir Edward Coke, like magna charta, and the articles of the Spanish junta, is a contract with nobility and royalty, a compromise with despotism, in which the voice of the people is heard in a tone of disturbed supplication and prayer. But in this declaration of *Mason's*, man seems to stand erect in all the majesty of his nature—to assert the inalienable rights and equality with which he has been endowed by his Creator, and to declare the fundamental principles by which all rulers should be controuled, and on which all governments should rest. The contrast is striking, the difference prodigious. And when I read, at the foot of this curious original, the assertion of its author, that "This Declaration of Rights was the first in America;" I see a manly mind indulging its feelings under a consciousness of having done an act so permanently and extensively useful. And what feeling can be so exquisitely delightful? what pride more truly virtuous and noble?

The principles of liberty filled and warmed the bosom of this venerable patriot in that last hour, which is an awful, and an honest one to us all; in his last will, he speaks in his dying hour, and

charges his sons, on a father's blessing, to be true to freedom and their country. He was indeed and in truth, one of the fathers of this nation. Therefore, let every son of free America, as he enters upon the busy scenes of life, hear and solemnly beseech Heaven to fortify him in the faithful observance of this sacred charge of one of the most worthy fathers of this country.

#### DECLARATION OF RIGHTS.

(*Copy of the first draught by George Mason.*)

A declaration of rights made by the representatives of the good people of Virginia, assembled in full and free convention; which rights do pertain to them and their posterity, as the basis and foundation of government.

1. That all men are *created* equally free and independent, and have certain inherent *natural* rights, of which, they cannot, by any compact, deprive, or divest their posterity; (*a*) *among which* are the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

2. That all power is *by God and nature* vested in and consequently derived from the people; that magistrates are their trustees and servants, and at all times amenable to them.

3. That government is, or ought to be, instituted for the common benefit; protection and security of the people, nation, or community. Of all the various modes and forms of government, that is best, which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of mal-administration; and that whenever any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, unalienable, and indefeasible right, to reform, alter, or abolish it, in such manner as shall be judged most conducive to the public weal.

4. That no man, or set of men, are entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services; which not being descendible, neither ought the offices of magistrate, legislator, or judge, to be hereditary.

5. That the legislative and executive powers of the state should be separate and distinct from the judicial; and that the members of the two first may be restrained from oppression, by feeling and participating the burthens of the people, they should, at fixed periods, be reduced to a private station, and return unto that body from which they were

originally taken, and the vacancies be supplied by frequent, certain and regular elections. (A)—

6. That elections of members, to serve as representatives of the people in the legislature, ought to be free, and that all men having sufficient evidence of permanent common interest with, and attachment to the community, have the right of suffrage; and cannot be taxed, or deprived of their property for public uses, without their own consent, or that of their representatives so elected, nor bound by any law to which they have not, in like manner, assented for the common good.

7. That all power of suspending laws, or the execution of laws, by any authority, without consent of the representatives of the people, is injurious to their rights, and ought not to be exercised.

8. That in all capital or criminal prosecutions, a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence in his favor, and to a speedy trial by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty, nor can he be compelled to give evidence against himself; and that no man be deprived of his liberty, except by the law of the land, or the judgment of his peers.

9. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

10. (This article was inserted by the convention.)

11. That in controversies respecting property, and in suits between man and man, the ancient trial by jury is preferable to any other, and ought to be held sacred.

12. That the freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotic governments.

13. That a well regulated militia, composed of the body of the people trained to arms, is the proper, natural, and safe defence of a free state; that standing armies in time of peace, should be avoided, as dangerous to liberty; and that, in all cases, the military should be under strict subordination to, and governed by the civil power.

14. (This article also was inserted by the convention.)

15. That no free government, or the blessing of liberty, can be preserved to any people, but by a firm adherence to justice, moderation, temperance,

frugality and virtue, and by frequent recurrence to fundamental principles.

16. That religion, or the duty which we owe our Creator, and the manner of discharging it, be directed only by reason and conviction, not by force or violence, and, therefore that all men enjoy the fullest toleration in the exercise of religion, according to the dictates of conscience, and that no magistrate, or any man, disturb the peace, the happiness, or the safety of society: And that it is the duty of all to practise Christian forbearance and charity towards each other.

"This declaration of rights was the first in America; it received few alterations or additions at the Virginia convention, (some of them not better,) and was afterwards closely imitated by other United States."

The foregoing was copied verbatim from the original, in the hand writing of the author, George Mason, of Virginia, left in the possession of his son, gen. John Mason, of Georgetown, in order to facilitate the comparison of it with the original which was adopted by the convention, and in force, it has been thought proper to number the articles as in the adopted declaration, omitting the 10th and 14th which were inserted in the original convention; and to place those words in the original which were either expunged or altered, and to place a caret where others were added.

"Virginia, Gunston-Hall, Oct. 2d,

My dear sir.—It gave me great pleasure to receive your receipt of your favor of the 23d of April, (Mr. Digges) to hear that you are alive and well in your country, where you can spend your time agreeably, not having heard a word from you, or of your affairs, two years before. I am much obliged, by the great concern you take in my domestic affairs, for your kind enquiry after my family: great alterations have happened in it. About four years ago I had the misfortune to lose my wife: to whom I knew her, and the happy manner in which we lived together, I will not attempt to describe my feelings at the time, scarce able to bear the first shock, a depression of spirits, a settled melancholy followed, from which I never expect, or desire to recover. I determine to spend the remainder of my days in private retirement with my children, from whose society alone, I could expect comfort. Some of them are now grown up to men and women; and I find great satisfaction to see them free from vices, and

tured, obliging and dutiful: they all still live with me, and remain single, except my second daughter, who is lately married to my neighbor—son. My eldest daughter (who is blessed with her mother's amiable disposition) is mistress of my family, and manages my little domestic matters, with a degree of prudence far above her years. My eldest son engaged early in the American cause, and was chosen ensign of the first independent company formed in Virginia, or indeed on the continent; it was commanded by the present general Washington as captain, and consisted entirely of gentlemen. In the year 1775, he was appointed a captain of foot, in one of the first minute-regiments raised here; but was soon obliged to quit the service, by a violent rheumatic disorder; which has followed him ever since, and, I believe will force him to try the climate of France or Italy. My other sons have not yet finished their education: as soon as they do, if the war continues, they seem strongly inclined to take an active part.

In the summer of '75, I was, much against my inclination, drag'd out of my retirement, by the people of my county and sent a delegate to the general convention at Richmond; where I was appointed a member of the first committee of safety; and have since, at different times, been chosen a member of the privy-council, and of the American congress; but have constantly declined acting in any other public character than that of an independent representative of the people, in the house of delegates; where I still remain, from a consciousness of being able to do my country more service there, than in any other department, and have ever since devoted most of my time to public business; to the no small neglect and injury of my private fortune: but if I can only live to see the American union firmly fixed, and free governments well established in our western world, and can leave to my children but a crust of bread and liberty, I shall die satisfied; and say, with the psalmist, "Lord now lettest thou thy servant depart in peace."—To show you that I have not been an idle spectator of this great contest, and to amuse you with the sentiments of an old friend upon an important subject, I enclose you a copy of the first draught of the declaration of rights, just as it was drawn and presented by me, to the Virginia convention, where it received few alterations; some of them I think not for the better: this was the first thing of the kind upon the continent, and has been closely imitated by all the states. There is a remarkable sameness in all the forms of government throughout the American union, except in the states of South Carolina and

Pennsylvania; the first having three branches of legislature, and the last only one; all the other states have two: this difference has given general disgust, and it is probable an alteration will soon take place, to assimilate these to the constitutions of the other states. We have laid our new government upon a broad foundation, and have endeavored to provide the most effectual securities for the essential rights of human nature, both in civil and religious liberty; the people become every day more and more attached to it; and I trust that neither the power of Great Britain, nor the power of hell will be able to prevail against it.

There never was an idler or a falser notion, than that which the British ministry have imposed upon the nation, that this great revolution has been the work of a faction, of a junto of ambitious men against the sense of the people of America. On the contrary, nothing has been done without the approbation of the people, who have indeed outrun their leaders; so that no capital measure hath been adopted, until they called loudly for it: to any one who knows mankind, there needs no greater proof than the cordial manner in which they have co-operated, and the patience and perseverance with which they have struggled under their sufferings; which have been greater than you, at a distance can conceive, or I describe. Equally false is the assertion that independence was originally designed here: things have gone such lengths, that it is a matter of moon-shine to us, whether independence was at first intended, or not, and therefore we may now be believed. The truth is, we have been forced into it, as the only means of self-preservation, to guard our country and posterity from the greatest of all evils, such another infernal government (if it deserves the name of government) as the provinces groaned under, in the latter ages of the Roman commonwealth. To talk of replacing us in the situation of 1763, as we first asked, is to the last degree absurd, and impossible: they obstinately refused it, while it was in their power, and now, that it is out of their power, they offer it. Can they raise our cities out of their ashes? Can they replace, in ease and affluence; the thousands of families whom they have ruined? Can they restore the husband to the widow, the child to the parent, or the father to the orphan? In a word, can they reanimate the dead?—Our country has been made a scene of desolation and blood—enormities and cruelties have been committed here, which not only disgrace the British name, but dishonor the human kind, we can never again trust a people who have thus used us; human nature re-

volts at the idea!—The die is cast—the Rubicon is passed—and a reconciliation with Great Britain, upon the terms of returning to her government, is impossible.

No man was more warmly attached to the Hanover family and the whig interest of England, than I was, and few men had stronger prejudices in favor of that form of government under which I was born and bred, or a greater aversion to changing it; it was ever my opinion that no good man would wish to try so dangerous an experiment upon any speculative notions whatsoever, without an absolute necessity.

The ancient poets, in their elegant manner of expression, have made a kind of being of necessity, and tell us that the Gods themselves are obliged to yield to her.

When I was first a member of the convention, I exerted myself to prevent a confiscation of the and altho' I was for putting the country immediately into a state of defence, and preparing for the worst; yet as long as we had any well founded hopes of reconciliation, I opposed to the utmost of my power, all violent measures, and such as might shut the door to it: but when reconciliation became a lost hope, when unconditional submission, or effectual resistance were the only alternatives left us, when the last dutiful and humble petition from congress received no other answer than declaring us rebels, and out of the king's protection, I, from that moment, looked forward to a revolution and independence, as the only means of salvation; and will risque the last penny of my fortune, and the last drop of my blood upon the issue: for to imagine that we could resist the efforts of Great Britain, still professing ourselves her subjects, or support a defensive war against a powerful nation, without the reins of government in the hands of America (whatever our pretended friends in Great Britain may say of it) is too childish and futile an idea to enter into the head of any man of sense. I am not singular in my opinions; these are the sentiments of more than nine tenths of the best men in America.

God has been pleased to bless our endeavors, in a just cause, with remarkable success. To us upon the spot, who have seen step by step the progress of this great contest, who know the defenceless state of America in the beginning, and the numberless difficulties we have had to struggle with, taking a retrospective view of what is passed, we seem to have been treading upon enchanted ground. The case is now altered. American pros-

pects brighten, and appearances are strongly in our favor. The British ministry must and will acknowledge us independent states."

*An extract from the copy of a letter from col. George Mason to his son Mr. George Mason, then in France, dated 1781, the original of which was put into the hands of the Count de Vergennes by Dr. Franklin.*

"Our affairs have been, for some time, growing from bad to worse. The enemy's fleet commands our rivers, and puts it in their power to remove their troops, from place to place, when and where they please without opposition; so that we no sooner collect a force sufficient to counteract them in one part of the country, but they shift to another, ravaging, plundering, and destroying every thing before them. Our militia turn out with great spirit, and have, in several late actions, behaved bravely; but they are badly armed and appointed. General Green with about 1200 regular troops and some militia, is in South Carolina; where he has taken all the enemy's posts, except Charleston. The enemy's capital object, at this time, seems to be Virginia. General Philips died lately in Petersburg; upon which the command of the British troops then devolved upon Arnold. But lord Cornwallis, quitting North Carolina, has since joined Arnold, with about 1200 infantry and 300 cavalry, and taken the chief command of their army in Virginia, now consisting of about 5000 men. They have crossed James river, and by the latest accounts were at Westover; their light horse having advanced as far as Hanover court house. They have burnt Page's warehouses, where the greatest part of the York River tobacco was collected; they had before burned most of the tobacco upon James river, and have plundered great part of the adjacent country: The Marquis de la Fayette is about twenty miles below Fredericksburg with about 1200 regulars and 3000 militia, waiting the arrival of general Wayne, with about 1500 regular troops of the Pennsylvania line.

"We have had various accounts of the sailing of a French fleet, with a body of land forces, for America; should they really arrive it would quickly change the face of our affairs, and infuse fresh spirits and confidence; but it has been so long expected in vain, that little credit is now given to reports concerning it.

"You know, from your own acquaintance in this part of Virginia, that the bulk of the people here are staunch whigs; strongly attached to the American cause, and well affected to the French alliance;

yet they grow uneasy and restless, and begin to think, that our allies are spinning out the war, in order to weaken America, as well as Great Britain, and thereby leave us at the end of it, as dependent as possible upon themselves.

"However unjust this opinion may be, it is natural enough for planters and farmers, burthened with heavy taxes, and frequently dragged from their families upon military duty on the continual alarms occasioned by the superiority of the British fleet. They see their property daily exposed to destruction, they see with what facility the British troops are removed from one part of the continent to another, and with what infinite charge and fatigue our's are, too late, obliged to follow; and they see too, very plainly, that a strong French fleet would have prevented all this.

"If our allies had a superior fleet here, I should have no doubt of a favorable issue to the war; but, without it, I fear we are deceiving both them and ourselves, in expecting we shall be able to keep our people much longer firm, in so unequal an opposition to Great Britain.

"France surely intends the separation of these states, forever, from Great Britain. It is highly her interest to accomplish this; but, by drawing out the thread too fine and long, it may unexpectedly break in her hands.

"God bless you, my dear child; and grant that we may again meet, in your native country, as freemen;—otherwise, that we may never see each other more, is the prayer of

Your affectionate father,

G. MASON."

*Extract of a letter from col. George Mason to his Son, then in France, dated Jan. 8th 1783.*

"As to the money you have spent in Europe, provided you can satisfy me that has not been spent in extravagance, dissipation or idle parade, I don't regard it. It is true, I have a large family to provide for; and that I am determined from motives of morality and duty to do justice to them all; it is certain also that I have not lost less than £10,000 sterling by the war, in the depreciation of paper money and the loss of the profits of my estate; but I think this a cheap purchase of liberty and independence. I thank God, I have been able, by adopting principles of strict economy and frugality, to keep my principal, I mean my country estate, unimpaired and I have suffered little by the depredations of the enemy. I have at this time, two years rents (you know mine are all tobacco rents) in arrear

and two crops uninspected; so that if a peace happens, it will find me plentifully handed in the article of tobacco, which will then be very valuable. The money it has cost you to relieve the distresses of your unfortunate countrymen was worthily expended, and you will receive retribution, with large interest, in Heaven—but in order to shorten the time of credit and also to entitle myself to some proportion of the merit, I shall insist upon replacing to you every shilling of it here; I hope you will therefore keep an exact account of it.

I beg you will freely communicate to me the situation of your affairs; and if there should be a necessity of making you remittances, I will endeavor to do it at all events, though it must be by selling some of the produce of my estate at an under value. I am now pretty far advanced in life, and all my views are centered in the happiness and welfare of my children—you will therefore find from me every indulgence which you have a right to expect from an affectionate parent.

I have been for some time in retirement and shall not probably return again to public life; my anxiety for my country, in these times of danger, makes me sometimes dabble a little in politics, and keep up a correspondence with some men upon the public stage. You know I am not apt to form opinions lightly and without due examination. And I can venture to say that the French court and nation, may confide in the honor and good faith of America; we reflect with gratitude on the important aids France has given us; but she must not, and I hope will not, attempt to lead us into a war of ambition or conquest, or trail us around the mysterious circle of European politics. We have little news worth communicating—nothing of consequence has happened here this campaign; the enemy having generally kept close within their lines, and the American army not strong enough to force them. We have a long time expected the evacuation of Charlestown; the enemy having dismantled their out-works and embarked their heavy artillery and some of their troops.—However, by the last accounts (in December) they had still a garrison there. By late accounts from Kentucky, we are informed that general Clarke with 1200 volunteers, had crossed the Ohio river and destroyed six of the Shawnee towns, destroying also about 2,000 barrels of their corn and bringing off furs and other plunder to the value of £3,000, which was sold and the money divided among his men; this will probably drive these savages near the Lakes or the Mississippi. Upon Clark's return the Chickasaws sent deputies to

him to treat for peace. Every thing was quiet in the new settlements, and upwards of 5 000 souls have been added to them since last September. The people there are extremely uneasy lest the free navigation of the river Mississippi to the sea should not be secured to them upon a treaty of peace; if it is not, it will occasion another war in less than seven years; the inhabitants think they have a natural right to the free, though not the exclusive navigation of that river; and in a few years they will be strong enough to enforce that right."

*Extract of a letter from colonel George Mason, of Virginia (while serving in the general convention), to a friend in that state.*

PHILADELPHIA, June 1st, 1787.

"The idea I formerly mentioned to you, before the convention met, of a great national council, consisting of two branches of the legislature, a judiciary and an executive, upon the principle of fair representation in the legislature, with powers adopted to the great objects of the union, and consequently a controul in these instances, on the state legislatures, is still the prevalent one. Virginia has had the honor of presenting the out lines of the plan, upon which the convention is proceeding; but so slowly, that it is impossible to judge when the business will be finished; most probably not before August—*festina lente* may very well be called our motto. When I first came here, judging from casual conversations with gentlemen from the different states, I was very apprehensive that soured and disgusted with the unexpected evils we had experienced from the democratic principles of our governments, we should be apt to run into the opposite extreme, and in endeavoring to steer too far from Scylla, we might be drawn into the vortex of Charybdis, of which I still think, there is some danger; though I have the pleasure to find in the convention, many men of fine republican principles. America has certainly, upon this occasion, drawn forth her first characters; there are upon this convention many gentlemen of the most respectable abilities; and, so far as I can yet discover, of the purest intentions; the eyes of the United States are turned upon this assembly, and their expectations raised to a very anxious degree.

May God grant, we may be able to gratify them, by establishing a wise and just government. For my own part, I never before felt myself in such a situation; and declare, I would not, upon pecuniary motives, serve in this convention for a thousand pounds per day. The revolt from Great Britain,

and the formations of our new government's time, were nothing compared with the great one now before us; there was then a certain deg enthusiasm, which inspired and supported the but to view, through, the calm sedate medium son the influence which the establishments n posed may have upon the happiness or mis millions yet unborn, is an object of such magt as absorbs, and in a manner suspends the open of the human understanding."

"P. S. All communications of the proceedis forbidden during the sitting of the conventic I think was a necessary precaution to prevent representations or mistakes; there being a m difference between the appearance of a subj its first crude and indigested shape, and a shall have been properly matured and arran

*An extract from the last will and testament George Mason, of Virginia.*

"I recommend it to my sons, from my on perience in life, to prefer the happiness of pendence and a private station to the troubl vexation of public business; but if either the inclinations or the necessity of the times s engage them in public affairs, I charge the a father's blessing, never to let the moti private interest or ambition induce them to t nor the terrors of poverty and disgrace, or th of danger or of death, deter them from ass the liberty of their country, and endeavor transmit to their posterity those sacred rig which themselves were born."

## New York

FROM THE ALBANY ARMS:

*Mr. Buel*—Permit me to solicit to treat readers and patrons with the publication of the following address. The journal of the assembly the year 1781, at their second meeting, was printed: it appears that the state printer for that year could not procure the necessary paper for that purpose. Three hundred copies of this address were printed in a pamphlet form for the state, and the same was ordered to be printed in friendly news-papers. New-York city being in the possession of the enemy, this latter mode of circulation must have been small. The manuscript journal of 1781, above mentioned, contains the original state address, from which I have here given this exact copy. It appears from this journal, previous to the publication of this interesting document, the great body of the people of this state, although they loved their country and still

and prayed for liberty, yet found themselves fatigued, distressed, embarrassed, drained of property and deprived of the services of their useful, hardy husbandmen—surrounded and daily encroached upon by the ravaging enemy, and pressed by a merciless savage foe. The record of their complaints and entreaties for relief, transmitted to the legislature from every part of the state, prove them to have been greatly disquieted, and anxious to put a *speedy termination* to taxes, impresses, assessments, and levies of militia. By the history of the succeeding year, this admirable address seems to have had the desired effect. The committee for drafting and preparing the same were Mr L'Hommiedieu, Mr. Tayler, and Mr. Benson, of the assembly, and Mr. Schuyler, Mr. Yates, and Mr. Platt, of the senate. It was first reported to the assembly by Mr. Benson.

By its publication in your state paper, you will deserve the thanks of the present generation, and preserve to posterity an important item of the history of the MEMORABLE AMERICAN REVOLUTION.

I have the honor to be sir, your very humble servant,

AARON CLARK.

*Albany, Nov. 3, 1819.*

"AN ADDRESS

*From the legislature of the state of New-York, to their Constituents.*

"FRIENDS AND FELLOW-CITIZENS—While government is without corruption, the representatives of a free people cannot be inattentive to the opinions of their constituents: They will hear their complaints and examine into the causes of them; if they proceed from errors in government, they will endeavor to correct such errors; if they originate in evils which arise from their peculiar situation, they will explain the necessity which gives them birth—well satisfied that such evils will be borne with patience, by those virtuous citizens, who count temporary inconveniences as dust in the balance when weighed against their own freedom, and the happiness of posterity.

The weight of taxes, the rigorous measures that have been used to restrain the disaffected, exertions oppressive to individuals, by which supplies have been obtained, the wants of the army, the calls upon the militia, and the destruction of our frontiers, are the principal sources from which the present discontents are supposed to flow. At first view, it will appear that most of these complaints militate against each other, and that to diminish the cause of some evils, others must be increased: Thus, to procure supplies without force, money

must be obtained and taxes rendered more burthensome; to relieve the frontiers, great demands must be made upon the militia; to conduct military operations with success, vigor and energy must be given to government, and temporary restraint be imposed upon the liberty of the subject. Those who candidly admit these truths will judge of the embarrassments which perplex the legislature—will make proper allowances for them, and by aiding and supporting government, enable their rulers to distinguish between the manly representations of freemen and real patriots, and the insidious murmurs of those grovelling souls, whom the flesh pots of Egypt would lure back to the land of bondage.

But to enter more minutely into particulars: With respect to the weight and inequality of taxes, let the sincere and zealous friend of his country, for to such characters only we mean to address ourselves, look back to the beginning of this controversy, and test the justice of present complaints by past promises. Greater evils than any we have yet experienced, were apprehended when we entered into the present contest. Cowards shuddered and attempted to fly from them; you set them at defiance; and animated with the spirit of freedom in your public assemblies, at your private meetings, by your solemn acts, and in your familiar conversations, repeatedly pledged your lives and fortunes to prosecute the war with vigor.

That the taxes are burthensome, will readily be admitted; but on the other hand, we submit to your candor, whether they are not far short of what you had reason to expect; especially when you consider the *real* and not the *nominal* sum demanded; and take into the account, that the war had been carried on for several campaigns, at a considerable expense, before any taxes were collected, and we are persuaded your justice will not permit you to ascribe to the legislature, hardships arising from taxes which it was their duty to lay, in conformity to the resolutions of that august body, whom the common voice of America has rendered supreme in matters relative to the war. If congress, urged by their necessities, have unhappily called for more than you are in circumstances to grant—if they have not duly weighed the various events which have impoverished and distressed this state, it becomes us, without deranging the general system, faithfully to represent our situation, while we endeavor to comply with their requisitions. This we have done; and have reason to hope for every relief which the present emergencies will permit them to afford. In this expectation we have also taken measures to suspend the operation of the law for raising a



sum equal to one hundred and fifty thousand dollars in specie.

As the vast debt due to individuals of this state from the United States remains unpaid, and therefore you are destitute of a circulating medium; and also because the desolation on the frontiers in the last campaign, has compelled us to require you to raise an extraordinary, but necessary number of men for their security, we have given further time for the payment of the tax, which will be due on the first of April, and we propose in the mean time to digest some plan for a more just and equal distribution of that and the other burthens of the war. To this, your representatives engage to turn their earnest attention. They lament that the wants of the army, and the negligence of states who have built too much upon our efforts, have so frequently rendered it necessary to disturb the common course of trade; and in some measure to violate the rights of property: we trust, however, that this necessity will justify us in the opinion of those who sincerely believe the relief of the troops a national object, and their wants a national grievance.

We have stated to congress the difficulties into which we are involved, and flatter ourselves that they will take measures to procure from every state its just quota, and thereby render exertions beyond our proportion, unnecessary in future. And we presume so much on your attachment to the cause of freedom, as not to doubt that you will cheerfully submit to every equitable mode which the legislature may devise to draw forth the resources of this state, and by that means prevent us from being exposed to the censure of those whom we charge with neglect.

We have already hinted, that we feel the inconvenience to which the non-payment of the continental debts, as well as those contracted by the state, has subjected many of you. To this subject we have again earnestly entreated the attention of congress, and pointed out a mode of redress. We have now under consideration, a plan for calling to account such persons as have been entrusted with public money, and thereby to restrain improper expenditures. We sincerely wish that the charge against public officers had been so particular as to direct us in our enquiries to the persons aimed at, and still hope that where abuses have crept into any department, the same zeal which dictated the complaint, will, by regular information to the prosecutor for the public, to grand jury, composed of the body of each county,

or to your representatives, in assembly, enable them to bring the offenders to justice.

The extraordinary powers given to commissioners for defeating conspiracies, may undoubtedly be justified by our peculiar situation, and by the practice of all nations under similar circumstances. On this occasion, we are again impelled to call on your candor, and to ask, beset as we are by avowed enemies, and infested with concealed traitors, who with facility maintain criminal intercourse, scatter the seeds of disaffection, and take advantage of the credulity of the honest but misinformed—whether it is not absolutely necessary to be attentive to their motions—to compare intelligence received from different quarters—to counteract the various machinations they are incessantly practising to subjugate us to British tyranny—that the legislature should delegate such powers as these commissioners are invested with. From a persuasion that you conceived their proceedings may, in some instances, have been improper, we do you the justice to believe, that hence your complaints have originated; and we flatter ourselves that in a more serious consideration, you, as friends to your country, will be impressed with the necessity of such powers, and that they will be obnoxious to none but the disaffected. The proceedings of these commissioners will, however, be submitted to the inspection of a committee of both houses, in order to discover whether they have abused their authority.

We have already taken measures for the defence of the frontiers, which, if successful, will greatly relieve the militia; and we indulge ourselves in hope that our endeavors will be warmly seconded by those, at least, whose zeal has justly led them to consider the destruction of the frontiers as a national misfortune.

We see with pain, many of the inhabitants of the state remonstrating against that as a grievance which, as a part of the original constitution, is intimately interwoven therewith, as not to be removed from it without destroying the fabric, namely, the share which the representatives of the southern part of the state have in legislation. We find ourselves constrained to declare, that we cannot consider this as a proper subject of complaint. A convention was chosen for the whole state, and consisted of deputies from every county, with unlimited power to institute and establish a government which should conclude the whole. Whilst this great business was in agitation, the southern counties came under a restraint from the enemy, and

Convention made provision for affording to the inhabitants of those counties as much of the benefits of the constitution as their situation and circumstances would admit. We presume the convention were convinced, that as legislation and representation is the leading principle in our constitution, it would, therefore, be highly unjust, if because our brethren were unfortunate and could not enjoy the whole of their inheritance, we should deprive them of that in which they could participate. To prevent this injustice, and influenced by motives of necessity and expediency, the convention passed the ordinance which we cannot, without violating the rights of the people, consider otherwise than as part of the constitution, from which we derive our powers, and therefore not to be altered or annulled by us. Independent of these conclusions, which we have drawn from the strict principles of the constitution, we find our conduct supported by the example of the great council of the United States. Congress has allowed, and doth still permit the *delegates* from Georgia and South Carolina to sit, debate, and vote, although the former is entirely in possession of the enemy, and the capital of the latter, with a great part of the state, experience the same misfortune. Indeed, should the delegates of those states, or the representatives of those counties be deprived of their seats, the former might of right, and agreeable to the law of nations, separate from the federal union, enter into compacts with other nations, and even unite with Great Britain—and the latter might on the same principles hold a similar conduct with respect to us. We forbear to enter into a further detail of reasoning on this subject, presuming that the least reflection will discover that, as in the one case, the jurisdiction of congress could not, of right, extend to Georgia and South Carolina, so in the other, our sovereignty would be restricted in point of territory, and our act could not rightfully bind the inhabitants of the counties in the power of the enemy. Consequences so detrimental to both, we are persuaded, were not foreseen by those amongst our constituents who wish well to the cause of their country, otherwise we flatter ourselves that this matter would not have been suggested as a grievance.

Thus, friends and fellow-citizens, impelled by the laudable principle that the public weal only ought to influence the conduct of its servants, have we admitted the justice of some of your complaints, promised our endeavors to lessen the cause of others, submitted to your candor our observations on those which we cannot deem grievous,

pointed at the embarrassments which surround us, and the means we have pursued to remove them; but while duty dictated this line of conduct on our part, it becomes *us, the temporary representatives of the majesty of the people*, to prosecute this address in a style which freemen ought to use to their equals; and we therefore cannot hesitate to assert, that it is incumbent on you candidly to distinguish between errors in the general system of the laws themselves, and the persons employed in the execution of them; between those which care and attention in your legislature and magistrates may remedy, and those which your situation and circumstances render unavoidable. Your representations have been useful in pointing out defects, but in your fortitude, in a due obedience to the laws, and in a determination to support the authority of government, can relief only be obtained against partial burthens, and although we cannot suspect that you will be remiss in these great duties of the good citizen, yet it behoves us to advise you, that a criminal negligence has been lately too prevalent with some; that it is your duty to interfere, especially whilst the British tyrant insults you with his unmeaning offers of peace and pardon, and whilst his infamous emissaries industriously attempt to excite the honest, but credulous friend of his country, to unwarrantable commotions, and induce him to mix with well founded grievances, those that do not exist. We mention this to sound the alarm to you, whose zeal and firmness have remained unshaken in every vicissitude of the present contest, that the weak and unwary may, by your example, be led to the better policy of removing the difficulties and embarrassments which lay between us and the *great objects* we have in view, *INDEPENDENCE, LIBERTY and PEACE*, and not, by throwing fresh difficulties in the way, remove to a more remote period the completion of your wish.

Listen, friends fellow-citizens, and countrymen, to the recommendations of that great and good man, whose virtues and patriotism, as the soldier and the citizen, have drawn down the admiration, not of America only, but all Europe; whose well-earned fame will roll down the tide of time until it is absorbed in the abyss of eternity: Listen to what he recommended to your army on a recent and an alarming occasion, and seriously apply it to yourselves and to us: "The general is deeply sensible of the sufferings of the army; he leaves no expedient unused to relieve them, and he is persuaded that congress and the several states are doing every thing in their power for the same purpose. But while we look to the public for

"the fulfilment of its engagements, we should do it  
 "with proper allowance for the embarrassments of  
 "public affairs; we began a contest for liberty and  
 "independence, ill provided for with the means of  
 "war, relying on our patriotism to supply deficiencies: we expected to encounter many wants and  
 "difficulties, and we should neither shrink from  
 "them when they happen, nor fly in the face of  
 "law and government to procure redress. There  
 "is no doubt the public will, in the event, do  
 "ample justice to the men fighting and suffering  
 "in their defence; but it is our duty to bear present  
 "evils with fortitude, looking forward to the period  
 "when our country will have it more in its power  
 "to reward our services. History is full of exam-  
 "ples of armies suffering, with patience, the ex-  
 "tremities of distress which exceed those we have  
 "experienced, and those in the cause of ambition  
 "and conquest, not in that of the rights of hu-  
 "manity, of their country, of their families, and  
 "of themselves. Shall we, who aspire to the distinc-  
 "tion of a patriot army, who are contending for every  
 "thing precious in society, against every thing hate-  
 "ful and degrading in slavery; shall we, who call  
 "ourselves citizens, discover less constancy, and  
 "military virtue, than the mercenary instruments  
 "of ambition?"

These are the sentiments of a *Washington*, and although he had not us immediately in view, yet every sentence is replete with wholesome admonition to all orders of men in these states. The force and artifice of the enemy have hitherto proved equally abortive. Britain's proud boasts of conquest are no more, and all Europe detests her cause. You are already within sight of the promised land, and, by the blessing of Heaven, and adequate efforts on your part, you may shortly hope, under your own vine and your own fig tree, to spend the remainder of your days in tranquility and ease; when the dangers you have passed, and the difficulties you sustain, will only seem to heighten your enjoyments; when you will look forward to the applauses of succeeding ages, and extend your happiness to the most remote period, by anticipating that which your exertions shall transmit to your posterity.

But, friends, fellow citizens and countrymen, vain is your hope to experience these glorious rewards, for all your toils, and quaff the cup of bliss; in vain has our hardy ancestor traversed the trackless ocean to seek in the wilds of the new world a refuge from the oppressions of the old; in vain for our sakes has he fled from that tyranny

which, by taxing industry, transmits poverty as an inheritance from one generation to another; in vain has he strove with the ruthless barbarian, and with the various difficulties incident on the emigration to countries untrodden by civilized man; if, by internal discord, by a pusillanimous impatience under unavoidable burthens, by an immoderate attachment to perishable property, by an intemperate jealousy of those servants whom each revolving year may displace from your confidence, by forgetting those fundamental principles which induced America to separate from Britain, we play into the hands of a haughty nation, spurred on to perseverance in injury, by a despairing yet unrelenting tyrant, and his rapacious minions.

Your representatives feel themselves incapable of believing that any but the misguided, the weak and the unwary amongst our fellow-citizens, can be guilty of so foully staining the honor of the state, and wantonly becoming parricides of their own, and the peace and happiness of their posterity.—Let us then all, for our interest is the same, with one heart and one voice, mutually aid and support each other. Let us steadily, unanimously, and vigorously, prosecute the great business of establishing our independence. Thus shall we be free ourselves, and leave the blessings of freedom to millions yet unborn.

By order of the senate,

(Signed) PIERRE VAN CORTLANDT, *pres't*

By order of the assembly,

(Signed) EVERT BANCER, *speaker*.

*Albany, March 13, 1781.*

## Declaration of Independence.

FROM THE RALEIGH REGISTER.

It is not probably known to many of our readers, that the citizens of Mecklenburg county, in this state, made a declaration of independence more than a year before congress made theirs. The following document on the subject has lately come to the hands of the editor from unquestionable authority, and is published that it may go down to posterity.

NORTH-CAROLINA,

*Mecklenburg county, May 20, 1775.*

In the spring of 1775, the leading characters of Mecklenburg county, stimulated by the enthusiastic patriotism which elevates the mind above considerations of individual aggrandisement, and scorning to shelter themselves from the impending storm, by submission to lawless power, &c. &c. held several detached meetings, in each of which

the individual sentiments were "that the cause of Boston was the cause of all; that their destinies were indissolubly connected with those of their eastern fellow-citizens—and that they must either submit to all the impositions which an unprincipled and to them an unrepresented parliament might impose—or support their brethren who were doomed to sustain the first shock of that power, which, if successful there, would ultimately overwhelm all in the common calamity. Conformably to these principles, col. Adam Alexander, through solicitation, issued an order to each captain's company in the county of Mecklenburg, (then comprising the present county of Cabarrus) directing each militia company to elect two persons, and delegate to them ample power to devise ways and means to aid and assist their suffering brethren in Boston, and also generally to adopt measures to extricate themselves from the impending storm, and to secure, unimpaired, their inalienable rights, privileges and liberties, from the dominant grasp of British imposition and tyranny.

In conforming to said order, on the 19th of May, 1775, the said delegation met in Charlotte, vested with unlimited powers; at which time official news, by express, arrived of the battle of Lexington on that day of the preceding month. Every delegate felt the value and importance of the prize, and the awful and solemn crisis which had arrived—every bosom swelled with indignation at the malice, inveteracy, and insatiable revenge developed in the late attack at Lexington. The universal sentiment was—let us not flatter ourselves that popular harangues—or resolves; that popular vapour will avert the storm, or vanquish our common enemy—let us deliberate—let us calculate the issue—the probable result: and then let us act with energy as brethren leagued to preserve our property—our lives,—and what is still more endearing, the liberties of America. Adam Alexander was then elected chairman, and John M<sup>r</sup> Knitt Alexander, clerk. After a free and full discussion of the various objects for which the delegation had been convened, it was unanimously ordained—

1. *Resolved*, That whosoever directly or indirectly abetted, or in any way, form, or manner, countenanced the unchartered and dangerous invasion of our rights, as claimed by Great Britain, is an enemy to this country—to America—and to the inherent and inalienable rights of man.

2. *Resolved*, That we, the citizens of Mecklenburg county, do hereby dissolve the political bands which have connected us to the mother country, and here-

by absolve ourselves from allegiance to the British crown, and abjure all political connection, contract, association with that nation, who have wantonly trampled on our right and liberties—and inhumanly shed the innocent blood of American patriots at Lexington.

3. *Resolved*, That we do hereby declare ourselves a free and independent people; are, and of right ought to be, a sovereign and self-governing association, under the control of no power other than that of our God and the general government of the congress: to the maintenance of which independence, we solemnly pledge to each other our mutual co-operation, our lives, our fortunes, and our most sacred honor.

4. *Resolved*, That, as we now acknowledge the existence and control of no law or legal officer, civil or military, within this county, we do hereby ordain and adopt, as a rule of life, all, each, and every of our former laws—wherein, nevertheless, the crown of Great Britain never can be considered as holding rights, privileges, immunities, or authority therein.

5. *Resolved*, That it is also further decreed, that all, each, and every military officer in this county is hereby reinstated to his former command and authority, he acting conformably to these regulations. And that every member present of this delegation shall henceforth be a civil officer, viz: a justice of the peace, in the character of a 'Committee man,' to issue process, hear and determine all matters of controversy, according to said adopted laws, and to preserve peace, and union, and harmony, in said county; and to use every exertion to spread the love of country and fire of freedom throughout America, until a more general and organized government be established in this province.

A number of by laws were also added, merely to protect the association from confusion, and to regulate their general conduct as citizens. After sitting in the court house all night, neither sleepy, hungry or fatigued, and after discussing every paragraph, they were all passed, sanctioned, and decreed, *unanimously*, about 2 o'clock, A. M. May 20. In a few days, a deputation of said delegation convened, when capt. James Jack, of Charlotte, was deputed as express to the congress at Philadelphia, with a copy of said resolves and proceedings, together with a letter addressed to our three representatives, viz: Richard Caswell, Wm. Hooper, and Joseph Hughes, under express injunction, personally, and through the state representation, to

use all possible means to have said proceedings sanctioned and approved by the general congress. On the return of capt. Jack, the delegation learned that their proceedings were individually approved by the members of congress, but that it was deemed premature to lay them before the house. A joint letter from said three members of congress was also received, complimentary of the zeal in the common cause, and recommending perseverance, order, and energy.

The subsequent harmony, unanimity, and exertion, in the cause of liberty and independence, evidently resulting from these regulations, and the continued exertion of said delegation, apparently tranquilized this section of the state, and met with the concurrence and high approbation of the council of safety, who held their sessions at Newbern and Wilmington, alternately, and who confirmed the nomination and acts of the delegation in their official capacity.

From this delegation originated the court of enquiry of this county, who constituted and held their first session in Charlotte; they then held their meetings regularly at Charlotte, at col. James Harris's, and at col. Phifer's, alternately, one week at each place; It was a civil court founded on military process. Before this judicature all suspicious persons were made to appear, who were formally tried, and banished or continued under guard. Its jurisdiction was as unlimited as toryism, and its decrees as final as the confidence and patriotism of the county. Several were arrested and brought before them from Lincoln, Rowan, and the adjacent counties.

[The foregoing is a true copy of the papers on the above subject, left in my hands by John Matthew Alexander, deceased. I find it mentioned on file, that the original book was burned in April, 1800; that a copy of the proceedings was sent to Hugh Williamson, in New York, then writing a history of North Carolina, and that a copy was sent to gen. W. R. Davie.

J. M'KNITT.]

The following ROYAL PROCLAMATION was communicated at the same time, and is published as a curiosity:

#### NORTH CAROLINA.

*By his excellency Josiah Martin, his majesty's captain general, and governor in chief of the said province, &c. &c. &c.*

#### A PROCLAMATION.

Whereas the king, ever anxious for the welfare

and happiness of all his people, and sensible to the representations which have been constantly made to him of the steady and unshaken loyalty, and of the inviolable fidelity and attachment of his faithful subjects in this province to his person and government, and confiding entirely in their repeated assurances to his majesty of their own utmost exertions in co-operation with his arms whenever they should be directed to their support: And whereas his majesty, moved by these considerations, by every the most tender and paternal feeling of concern and regard for the sufferings and misery of his faithful people, under the intolerable yoke of arbitrary power, which his majesty, with indignation, sees imposed by the tyranny of the rebel congress upon his free-born subjects, hath been pleased to send an army to their aid and relief—I have, therefore, thought it proper, by this proclamation, to inform his majesty's loyal and faithful subjects in this province, of this great proof and instance of his majesty's gracious attention to them, and at the same time to advertise them that the royal army, under the command of lieut. gen. earl Cornwallis, is thus far advanced to their support, leaving it to themselves to compute its power and superiority from the great, signal, and complete victory which it obtained when in force very inferior to its present strength, over the rebel army on the 16th of August: And whereas, while his majesty, on the one hand, holds forth grace and mercy to his deluded subjects who shall immediately, and with good faith, return to their duty, to which they have been invited, in vain, by every reason and argument, and by every consideration of interest, of freedom, and happiness, he is determined, on the other, to employ, in the most vigorous and effectual manner, the force of his arms, and the united strength of his faithful people, to restore and maintain to them that genuine liberty, peace, and prosperity, which they formerly enjoyed in such full security, under the mild government and protection of Great Britain, and to compel the disobedient to submission to the laws, and to a participation of those blessings of a free constitution, which, through ignorance, infatuation, delusion, blindness, and fraud, they have been hitherto led to resist, notwithstanding his majesty's most gracious and merciful endeavors to reclaim them. Having thus signified to the king's loyal and faithful subjects the arrival and progress of his majesty's army to their aid and support, which they have so long and eagerly wished for, it becomes my duty to remind them that the time is now arrived in which they are to evince the sincerity of their pro-

essions of loyalty and attachment to his majesty's person and government; they are to consider themselves in this hour most seriously and solemnly called upon by every duty of the subject to the sovereign, and by every tie and consideration of family, liberty, and property, of present and future welfare and interest, with heart and hand, to join and unite their strength with that of his majesty's forces, in order to deliver themselves from that intolerable yoke of slavery and arbitrary power, (which the tyranny of the rebel congress, lost to every sense of truth and virtue, is evidently aiming to rivet upon them, by calling in the aid of the two Roman Catholic powers of France and Spain, whose policy and incessant labor it has been for ages to subvert the civil and religious liberties of mankind,) and to restore themselves to that state of perfect freedom which is acknowledged throughout the world to be found only in the envied rights and condition of British subjects:

And whereas I have the entire confidence, that it is the wish, inclination, and ardent desire of his majesty's faithful and loyal subjects in this province, to employ their strength on this great occasion for the redemption of every thing that can be dear to men, in the way that is likely most effectually and certainly to accomplish the great objects of peace and happiness which they have in view: I do hereby exhort and invite all the young and able-bodied men to testify the reality of their loyalty and spirit, by enlisting in the provincial corps, which are forthwith to be raised and put under my command, as his majesty's governor of the province, hereby informing and assuring them that they are and will be required to serve only during the rebellion, and within the provinces of North and South Carolina and Virginia, under officers of their own recommendation; that each man will receive the bounty of three guineas at the time of enlisting, and all the pay, clothing, appointments, allowances, and encouragements of soldiers of his majesty's army; and will be entitled, at the end of the rebellion, when they are to be discharged, to free grants of land. And I have such full assurance that his majesty's loyal and faithful subjects of this province will so clearly see the propriety and necessity of forming their strength upon this plan, which experience hath proved can alone render it useful and effectual, to the speedy suppression of the tyranny which has for years past deprived them of every blessing, right, and enjoyment of life, that I am confident their honest zeal will lead them to contend and vie with each other in filling the respective battalions in which

they shall choose to enlist, from a just sense of the merit and applause that will be due to such as are soonest completed.

Given under my hand, and the great seal of the said province at head quarters, in Charlottetown, this third day of October in the year of our Lord one thousand seven hundred and eighty, and in the twentieth year of his majesty's reign.

JO. MARTIN.

By his excellency's command:

RICHARD BAILEY, P. Sec'y.

God save the king!

### THE MECKLENBURG RESOLUTIONS.

FROM THE RALEIGH REGISTER.

*Declaration of independence*—The following paragraph appears in the Essex Register of the 24th ult. in relation to the declaration of independence made by the citizens of Mecklenburg county, in this state, as early as May, 1775, which was originally published in this paper on the 30th of April, 1818, and which has been copied into most of the newspapers printed in the United States.

"The Mecklenburg resolutions, as copied from the Raleigh Register, have not had universal credit. It has been surprising that they had been so long unknown. Though the publisher says they rest upon high authority, the public would be pleased to know more about them. If they are forgeries, they are highly criminal, and we agree, that "fictions of this kind, five and forty years after the pretended fact, ought to be discountenanced by every man of honor, and this in particular ought to be hunted from the dark cavern from which it originated. The more ingenious the invention, the more detestable." We can only say that, from the specious form in which they appeared, we were induced to copy them. They had so many circumstances that they could easily be exposed, if fictions; and, being printed in the state in which the resolutions are said to have been taken, they originated where these circumstances might be explained. We know not what part the representatives of North Carolina took in congress, and how far they availed themselves of the spirit they found in their constituents. With us, it was no objection that they were not published. We knew the state of the press at that time, and the general inability to take a fair estimate of local opinions. As some doubts have arisen respecting the documents, it is of the greatest importance that the documents be examined and traced to their true history. These doubts involve some serious questions. We copied

them from the press, and they have no object in northern policy. They are, if true, favorable to the south, in which they appear. As they regard a period of our history in which every thing should be clear and certain, we hope the publisher will assist to more satisfactory knowledge of their true character."

For the satisfaction of the respectable editor of the Essex Register, we are desirous of giving him, and others, who may have doubts as to the correctness of these documents, all the information in our power; and we feel confident, after we shall have done so, no longer doubt will remain as to the truth and reality of the proceedings in question.

It appears, this Mecklenburg declaration of independence had, during last winter, been the subject of conversation at Washington, amongst members of congress; and that, in order to put the matter out of dispute, one of our senators, and the representative from the Mecklenburg district, in congress, wrote to gentlemen in that part of the country, most likely to give it, for satisfactory information in relation to this matter.

Our senator received the following answer to the letter which he wrote on this occasion:

*"Alexandria, Mecklenburg county, N. C.*

*February 7, 1819.*

SIR—Your application to gen. Joseph Graham, of Lincoln county for information respecting the declaration of independence by the county of Mecklenburg, previous to the declaration by the United States, induced him to forward your letter to me for the like purpose, with a request to furnish you from my father's old papers, every thing on that subject that could be found; but, previous to the reception of your letter, William Davidson\* had addressed my brother on the same subject, and he has furnished all that could be found amongst my father's papers on that subject. But, on looking again, I found an old proclamation,† which I herein enclose to you—if it should be of any service, you can use it.

"Nearly all my father's papers were burned in the spring of 1800; which destroyed the papers now wanting, as I believe he acted as secretary to the the committee that declared independence for this county in 1775.

"I am, sir, with respect and esteem, your, &c.

"WM B. ALEXANDER.

"Hon. NATHANIEL MACON."

\*Mr. Davidson is the representative in congress from that district.

†This was the proclamation of George 3d. published with the declaration.

The declaration and resolutions published, were received by Mr. Davidson from J. M'Knitt, (brother of Mr. Alexander, the writer of the above letter) accompanied with the following certificate:

"The foregoing is a true copy of the papers on the above subject, left in the hands of John M'Knitt Alexander, deceased. I find it mentioned on file, that the original book was burned, April, 1800; that a copy of the proceedings was sent to Hugh Williamson, in New York, then writing the history of North Carolina, and that a copy was sent to gen. W. R. Davie.

"J. M'KNITT."

And the papers, thus certified, were sent to us for publication, by the senator who had collected the information. We trust, therefore, that the most sceptical will no longer entertain a doubt of the authenticity of this declaration of independence of Mecklenburg county. If further evidence of these facts were wanting, it is believed, the testimony of one the most respectable inhabitants of this city, who was present when the declaration was resolved upon might, be added.

### Revolutionary Document.

We have recently procured a copy of the instrument by which GAGE, in 1775, proclaimed a pardon to all Americans who should "lay down their arms and return to their duty," with the exception of SAMUEL ADAMS and JOHN HANCOCK. We find by the introduction, that it was published by the Whigs, from the British original. It is in the hand-bill form, and we believe has never before appeared in a news-paper.—*Ed. Boston Patriot.*

CAMBRIDGE, June 14, 1775.

The following is a copy of an infamous thing handed about here yesterday, and now-reprinted to satisfy the curiosity of the public. As it is replete with consummate impudence, the most abominable lies, and stuffed with daring expressions of tyranny, as well as rebellion against the established constitutional authority of the AMERICAN STATES, no one will hesitate in pronouncing it to be the genuine production of that perfidious, petty tyrant, THOMAS GAGE.

BY HIS EXCELLENCY THE HON. THOMAS GAGE, ESQ.  
Governor and commander in chief in and over his majesty's Province of Massachusetts-Bay, and vice-admiral of the same.

### A PROCLAMATION.

WHEREAS the infatuated multitudes, who have long suffered themselves to be conducted by cer-

Many well-known incendiaries and traitors, in a fatal progression of crimes, against the constitutional authority of the state, have at length proceeded to avowed rebellion; and the good effects which were expected to arise from the patience and leniency of the king's government, have been often frustrated, and are now rendered hopeless, by the influence of the same evil counsels; it only remains for those who are entrusted with supreme rule, as well for the punishment of the guilty, as for the protection of the well affected, to prove they do not bear the sword in vain.

The infringements which have been committed upon the most sacred rights of the crown and people of Great Britain, are too many to enumerate on one side, and are all too atrocious to be palliated on the other. All unprejudiced people who have been witnesses of the late transactions, in this and the neighboring provinces, will find, upon a transient review, marks of premeditation and conspiracy that would justify the fulness of chastisement: And even those who are least acquainted with facts, cannot fail to receive a just impression of their enormity, in proportion as they discover the arts and assiduity by which they have been falsified or concealed. The authors of the present unnatural revolt, never daring to trust their cause or their actions, to the judgment of an impartial public, or even to the dispassionate reflection of their followers, have uniformly placed their chief confidence in the suppression of truth: And while indefatigable and shameless pains have been taken to obstruct every appeal to the real interest of the people of America, the grossest forgeries, calumnies and absurdities that ever insulted human understanding, have been imposed upon their credulity. The press, that distinguished appendage of public liberty, and when fairly and impartially employed, its best support, has been invariably prostituted to the most contrary purposes: the animated language of ancient and virtuous times, calculated to vindicate and promote the just rights and interests of mankind, have been applied to countenance the most abandoned violation of those sacred blessings; and not only from the flagitious prints, but from the popular harangues of the times, men have been taught to depend upon activity in treason for the security of their persons and properties: Till, to complete the horrid profanation of terms and of ideas, the name of God has been introduced in the pulpits to excite and justify devastation and massacre.

The minds of men having been thus gradually prepared for the worst extremities, a number of

armed persons, to the amount of many thousands, assembled on the 19th of April last, and from behind walls and lurking holes, attacked a detachment of the king's troops, who, not expecting so consummate an act of frenzy, unprepared for vengeance and willing to decline it, made use of their arms only in their own defence. Since that period the rebels, deriving confidence from impunity, have added insult to outrage; have repeatedly fired upon the king's ships and subjects, with cannon and small arms; have possessed the roads and other communications by which the town of Boston was supplied with provisions; and, with a preposterous parade of military arrangement, they affect to hold the army besieged; while part of their body make daily and indiscriminate invasions upon private property, and, with a wantonness of cruelty ever incident to lawless tumult, carry depredation and distress wherever they turn their steps. The actions of the 19th of April are of such notoriety, as must baffle all attempts to contradict them, and the flames of buildings and other property, from the islands and adjacent country, for some weeks past, spread a melancholy confirmation of the subsequent assertions.

In this exigency of complicated calamities. I avail myself of the last effort within the bounds of my duty to spare the effusion of blood; to offer, and I do hereby in his majesty's name, offer and promise his most gracious pardon, to all persons who shall forthwith lay down their arms, and return to the duties of peaceable subjects, excepting only from the benefit of such pardon, SAMUEL ADAMS and JOHN HANCOCK, whose offences are of too flagitious a nature to admit of any other consideration than that of condign punishment.

And to the end that no person within the limits of this proffered mercy may plead ignorance of the consequences of refusing it, I by these presents proclaim, not only the persons above-named and excepted, but also all their adherents, associates and abettors, meaning to comprehend in those terms all and every person, and persons of what class, denomination or description soever, who have appeared in arms against the king's government, and shall not lay down the same as aforementioned; and likewise all such as shall so take arms after the date hereof, or who shall in any-wise protect or conceal such offenders, or assist them with money, provision, cattle, arms, ammunition, carriages, or any other necessary for subsistence or offence; or shall hold secret correspondence with them by letter, message, signal, or other;



wise, to be rebels and traitors, and as such to be treated.

*And whereas*, during the continuance of the present unnatural rebellion, justice cannot be administered by the common law of the land, the course whereof has, for a long time past, been violently impeded, and wholly interrupted; from whence results a necessity for using and exercising the law martial; I have therefore thought fit, by the authority vested in me, by the royal charter to this province, to publish, and I do hereby publish, proclaim and order the use and exercise of the law martial, within and throughout this province, for so long time as the present unhappy occasion shall necessarily require; whereof all persons are hereby required to take notice, and govern themselves, as well to maintain order and regularity among the peaceable inhabitants of the province, as to resist, encounter and subdue the rebels and traitors above-described by such as shall be called upon for those purposes.

To these inevitable, but I trust salutary measures, it is a far more pleasing part of my duty to add the assurances of protection and support, to all who, in so trying a crisis, shall manifest their allegiance to the king, and affection to the parent state. So that such persons as may have been intimidated to quit their habitations in the course of this alarm, may return to their respective callings and professions, and stand distinct and separate from the parricides of the constitution, till God, in his mercy, shall restore to his creatures, in this distracted land, that system of happiness from which they have been seduced, the religion of peace, and liberty founded upon law.

GIVEN at Boston, this twelfth day of June, in the fifteenth year of the reign of his majesty GEORGE the third, by the grace of GOD, of Great Britain, France and Ireland, KING, defender of the Faith, &c. Annoque Domini, 1775.

THOMAS GAGE.

By his excellency's command:

THO'S FLUCKER, secretary.

GOD SAVE THE KING.

### Lord Dunmore to General Howe.

WILLIAMSBURG, VIRGINIA, JAN. 25

*The following is an extract of a letter from Lord Dunmore to General Howe, dated November 30, 1775.*

"I must inform you, that with our little corps I think we have done wonders. We have taken and destroyed above fourscore pieces of ordnance, and

by landing in different parts of the coast keep them in continual hot water; but as Leslie tells me he means to give you pain enough, I shall say no more on that subject. the prisoners, we have taken one Oliver, and Deane, two natives of Boston, I in gunpowder to North Carolina. The last sent from Boston to influence the minds of the people, in which he has been but too successful was taken from on board a schooner going to this place to the Western Islands, to bring against his majesty in this province. I have them more with a view of intimidating others to punish them, as they expect here that, as they are sent to Boston, they are to be Robinson is a delegate of our convention. He was a captain of their minute-men. Perhaps may be of some use to you, in exchanging for good men. The sloop not sailing so as expected, I have to inform you that, on the instant. I had information that a party of a hundred of the North Carolina rebels had gone to the assistance of those in this colony, and posted at a place called the Great-Bridge, an essential pass in the country. I accordingly barked our little corps in boats, in the night the 14th, with between twenty and 30 volunteers from Norfolk. We landed within four miles of the bridge, and arrived there a little after daylight; but, to our great mortification, few birds had flown the evening before. But I that a body, between 2 and 300, of our rebels within about ten miles of us, we determined to beat up their quarters, and accordingly proceeded about eight miles, when they fired on our advanced guards from the woods: on which I immediately ordered our people to rush in upon them, at the same time sent a party of the regulars, and volunteers, to out-flank them. The enemy immediately fled on all quarters, and our men pursued them for a mile or more, killed and drove others into a creek, where they were wounded, and took nine prisoners, among whom were their colonels. We only had one man wounded who is recovering. I immediately upon this the enclosed proclamation; which has had a very successful effect, as there are no less than 300 who taken and signed the enclosed oath. There are also flocking in from all quarters, which will oblige the rebels to disperse, to take care of their families and property, and had I but more men here, I would immediately march to Williamsburgh, my former place of residence.

which I should soon compel the whole colony to submit. We are in great want of small arms; and if two or three field pieces and their carriages could be spared, they would be of great service to us; also some cartridge paper, of which not a sheet is to be got in this country, and all our cartridges are expended.—Since the 19th of May last I have not received a single line from any one in administration, though I have wrote volumes to them, in each of which I have prayed to be instructed, but to no purpose. I am therefore determined to go on doing the best of my power for his majesty's service. I have accordingly ordered a regiment, called the Queen's own loyal regiment, of 500 men, to be raised immediately, consisting of a lieutenant-colonel commandant, major, and ten companies, each of which is to consist of one captain, two lieutenants, one ensign, and fifty privates, with non-commissioned officers in proportion. You may observe, by my proclamation, *that I offer freedom to the blacks of all rebels that join me*, in consequence of which there are between 2 and 300 already come in, and those I form into corps as fast as they come in, giving them white officers and non-commissioners in proportion.—And from these two plans, I make no doubt of getting men enough to reduce this colony to a proper sense of their duty. My next distress will be the want of arms, accoutrements and money, all of which you may be able to relieve me from. The latter I am sure you can, as there are many merchants here who are ready to supply me, on my giving them bills on you, which you will have to withdraw, and give your own in their room. I hope this mode will be agreeable to you; it is the same that general Gage proposed. I have now, in order to carry on the recruiting business, victualling, clothing, &c. drawn on you for £5000 sterling, and have appointed a paymaster, who will keep exact accounts. I wish you would inform me, by the return of the sloop, what bounty money may be given to those who enlist.—Having heard that 1000 chosen men belonging to the rebels, a great part of whom were riflemen, were on their march to attack us here, or to cut off our provisions, I determined to take possession of the pass at the Great-Bridge, which secures us the greatest part of two counties, to supply us with provisions. I accordingly ordered a stockade to be erected there, which was done in a few days; and I put an officer and 25 men to garrison it, with some volunteers and —, who have defended it against all the efforts of the rebels for these eight days past. We have killed several of their men,

and I make no doubt we shall now be able to maintain our ground there; but should we be obliged to abandon it, we have thrown up an intrenchment on the land side of Norfolk, which I hope they never will be able to force. Here we are contending, with only a very small part of a regiment, against the extensive colony of Virginia. If you would but spare me, for a few months, the 64th regiment now in the castle, and the remaining part of the 14th, I really believe we should reduce this colony to a proper sense of their duty."

### Convention in Virginia.

*Resolved*, unanimously, that this convention do highly approve of col. Woodford's conduct, manifested, as well in the success of the troops under his command, as in the humane treatment of, and kind attention to, the unfortunate, though brave officers and soldiers, who were made prisoners in the late action near the Great Bridge, and that the president communicate to col. Woodford the sense of his country on this occasion.

Whereas lord Dunmore, by his proclamation, dated on board the ship William, the 7th day of November, 1775 hath presumed, in direct violation of the constitution, and the laws of this country, to declare martial law in force, and to be executed throughout this colony, whereby our lives, our liberty, and our property, are arbitrarily subjected to his power and direction: and whereas the said lord Dunmore, assuming powers which the king himself cannot exercise, to intimidate the good people of this colony into a compliance with his arbitrary will, hath declared those who do not immediately repair to his standard, and submit in all things to a government not warranted by the constitution, to be in actual rebellion, and thereby to have incurred the penalties inflicted by the laws for such offences; and hath offered freedom to the servants and slaves of those he is pleased to term rebels, arming them against their masters, and destroying the peace and happiness of his majesty's good and faithful subjects, whose property is rendered insecure, and whose lives are exposed to the dangers of a general insurrection: We, as guardians of the lives and liberty of the people, our constituents, conceived it to be indispensably our duty to protect them against every species of despotism, and to endeavor to remove those fears with which they are so justly alarmed.

If it were possible the understandings of men could be so blinded, that every gleam of reason

might be lost, the hope, his lordship says, he hath ever entertained of an accommodation between Great Britain and this colony, might now pass unnoticed; but truth, justice, and common sense, must ever prevail, when facts can be appealed to in their support. It is the peculiar happiness of this colony, that his lordship can be traced as the source of innumerable evils, and one of the principal causes of the misfortunes under which we now labor. A particular detail of his conduct, since his arrival in this colony, can be considered only as a repetition, it having been already fully published to the world by the proceedings of the general assembly, and a former convention; but the unremitting violence with which his lordship endeavors to involve this country in the most dreadful calamities, certainly affords new matter for the attention of the public, and will remove every imputation of ingratitude to his lordship, or of injustice to his character. His lordship is pleased to ascribe the unworthy steps he hath taken against this colony to a necessity arising from the conduct of its inhabitants, whom he hath considered in a rebellious state, but who know nothing of rebellion except the name. Ever zealous in support of tyranny, he hath broken the bonds of society, and trampled justice under his feet. Had his lordship been desirous of affecting an accommodation of these disputes, he hath had the most ample occasion of exerting both his interest and abilities; but that he never had in view any such salutary end, most evidently appears from the whole tenor of his conduct. The supposed design of the Canada bill having been to draw down upon us a merciless and savage enemy, the present manœuvres amongst the Roman Catholics in Ireland, and the schemes concerted with Doctor Connelly, and other vile instruments of tyranny, which have appeared by the examination of the said Connelly, justify the supposition, and most fully evince his lordship's inimical and cruel disposition towards us, and can best determine whether we have been wrong in preparing to resist, even by arms, that system of tyranny adopted by the ministry and parliament of Great Britain, of which he is become the rigid executioner in this colony. The many depredations committed also upon the inhabitants of this colony, by the tenders and other armed vessels employed by his lordship for such purposes; the pilfering and plundering the property of the people, and the actual seduction and seizure of their slaves, were truly alarming in their effects, and called aloud for justice and resistance. The persons of many of our peaceable brethren have been

seized and dragged to confinement, contrary to the principles of liberty, and the constitution of our country: yet have we borne this injurious treatment with unexampled patience, unwilling to shed the blood of our fellow-subjects, who, prosecuting the measures of a British parliament, would sacrifice our lives and property to a relentless fury and unabating avarice. If a governor can be authorised, even by majesty itself, to annul the laws of the land, and to introduce the most execrable of all systems, the law martial; if, by his single fiat, he can strip us of our property, can give freedom to our servants and slaves, and arm them for our destruction, let us bid adieu to every thing valuable in life; let us at once bend our necks to the galling yoke, and hug the chains prepared for us and our latest posterity!

It is with inexpressible concern we reflect upon the distressed situation of some of our unhappy countrymen, who had thought themselves too immediately within the power of lord Dunmore, and have been induced thereby to remain inactive. We lament the advantage he hath taken of their situation, and at present impute their inactivity, in the cause of freedom and the constitution, not to any defection or want of zeal, but to their defenceless state; and whilst we endeavor to afford them succour, and to support their rights, we expect they will contribute every thing in their power to effect their deliverance: yet if any of our people, in violation of their faith plighted to this colony, and the duty they owe to society, shall be found in arms, or continue to give assistance to our enemies, we shall think ourselves justified, by the necessity we are under, in executing upon them the law of retaliation.

Impressed with a just and ardent zeal for the welfare and happiness of our countrymen, we trust they will, on their part, exert themselves in defence of our common cause, and that we shall all acquit ourselves like freemen, being compelled by a disagreeable, but absolute necessity, of repelling force by force, to maintain our just rights and privileges; and we appeal to God, who is the Sovereign Disposer of all events, for the justice of our cause, trusting to his unerring wisdom to direct our councils, and give success to our arms.

Whereas lord Dunmore, by his proclamation, dated on board the ship William, off Norfolk, the 7th day of November, 1775, hath offered freedom to such able bodied slaves as are willing to join him, and take up arms against the good people of this colony, giving thereby encouragement to a

general insurrection, which may induce a necessity of inflicting the severest punishments upon these unhappy people already deluded by his base and insidious arts, and whereas, by an act of the general assembly now in force in this colony, it is enacted, that all negro, or other slaves, conspiring to rebel or make insurrection, shall suffer death, and be excluded all benefit of clergy—we think it proper to declare, that all slaves who have been, or shall be, seduced by his lordship's proclamation, or other arts, to desert their master's service, and take up arms against the inhabitants of this colony, shall be liable to such punishment as shall hereafter be directed by the convention. And to the end that all such, who have taken this unlawful and wicked step, may return in safety to their duty, and escape the punishment due to their crimes, we hereby promise pardon to them, they surrendering themselves to colonel William Woodford, or any other commander of our troops, and not appearing in arms after the publication hereof. And we do further earnestly recommend it to all humane and benevolent persons in this colony, to explain and make known this our offer of mercy to those unfortunate people.

And whereas, notwithstanding the favorable and kind dispositions shewn by the convention and the natives of this colony, and the extraordinary and unexampled indulgence by them held out to the natives of Great Britain, residing in this colony, (the Scotch who gave themselves this title in their petition) many of these have lately become strict adherents to the lord Dunmore and the most active promoters of all his cruel and arbitrary persecutions of the good people of this colony, not only by violating the continental association, to which they had solemnly subscribed, in many the most flagrant instances; not merely by giving intelligence to our enemies and furnishing them with provisions, but by propagating, as well in Great Britain as in this colony, many of the most mischievous falsehoods, to the great prejudice and dishonor of this country: And moreover, many of these natives of Great Britain, instead of giving their assistance in suppressing insurrections, have contrary to all faith, solemnly plighted in their petition, excited our slaves to rebellion, and some of them have daringly led those slaves in arms against our inhabitants; the committee having these things in full proof, and considering their alarming and dangerous tendency, do give it as their opinion, and it is accordingly resolved, that the former resolution in their favor ought from henceforth to be totally abrogated and rescinded; that none of the freemen, inhabitants of

this country, wherever born, ought to be exempted from any of the burthens or dangers to which the colony is exposed; but that, as good citizens, it is incumbent on them to use every exertion of their power and abilities in the common defence; and should any persons of ability decline or shrink from so necessary a duty to the community, that all such, except those who have taken up arms against our inhabitants, or shewn themselves to us, may be permitted, under a license of the committee of safety, to leave the country.

One of Id. Dunmore's tenders went to a place called Mulberry-island, in Warwick county, and landed her men, who went to Mr. Benjamin Wells's bouse, with their faces blacked like negroes, whose companions they are, and robbed the house of all the furniture, four negroes, a watch, and stock-buckle. The inhuman wretches even took the bed on which lay two sick infants.

*A copy of the oath extorted from the people of Norfolk and Princess Anne, by lord Dunmore.*

"We the inhabitants of — being fully sensible of the errors and guilt into which this colony hath been misled, under color of seeking redress of grievances, and that a set of factious men styling themselves committees, conventions, and congresses, have violently, and under various pretences, usurped the legislative and executive powers of government, and are thereby endeavoring to overturn our most happy constitution, and have incurred the guilt of actual rebellion against our most gracious sovereign: We have therefore taken an oath abjuring their authority, and solemnly promising, in the presence of Almighty God, to bear faith and true allegiance to his sacred majesty George the third; and that we will, to the utmost of our power and ability, support, maintain, and defend his crown and dignity, against all traitorous attempts and conspiracies whatsoever. And whereas armed bodies of men are collected in various parts of this colony, without any legal authority, we wish them to be informed, that however unwilling we should be to shed the blood of our countrymen, we must, in discharge of our duty to God and the king, and in support of the constitution and laws of our country, oppose their marching into this county, where their coming can answer no good end, but, one the contrary, must expose us to the ravages and horrors of a civil war; and, for that purpose, we are determined to take advantage of our happy situation, and will defend the passes into our county, and neighborhood, to the last drop of our blood."

**Massachusetts-Bay.**

*By the great and general court of the colony of  
Massachusetts-Bay.*

**A PROCLAMATION.**

The frailty of human nature, the wants of individuals, and the numerous dangers which surround them, through the course of life, have, in all ages, and in every country, impelled them to form societies and establish governments.

As the happiness of the people is the sole end of government, so the consent of the people is the only foundation of it, in reason, morality, and the natural fitness of things. And therefore every act of government, every exercise of sovereignty, against, or without, the consent of the people, is injustice, usurpation, and tyranny.

It is a maxim that in every government, there must exist, somewhere, a supreme, sovereign, absolute, and uncontrollable power; but this power resides always in the body of the people; and it never was, or can be delegated to one man, or a few; the great Creator having never given to men a right to vest others with authority over them, unlimited either in duration or degree.

When kings, ministers, governors, or legislators, therefore, instead of exercising the powers entrusted with them, according to the principles, forms and proportions stated by the constitution, and established by the original compact, prostitute those powers to the purposes of oppression—to subvert, instead of supporting a free constitution;—to destroy, instead of preserving the lives, liberties and properties of the people;—they are no longer to be deemed magistrates vested with a sacred character, but become public enemies, and ought to be resisted.

The administration of Great Britain, despising equally the justice, humanity and magnanimity of their ancestors; and the rights, liberties and courage of AMERICANS, have, for a course of years, labored to establish a sovereignty in America, not founded in the consent of the people, but in the mere will of persons, a thousand leagues from us, whom we know not, and have endeavored to establish this sovereignty over us, against our consent, in all cases whatsoever.

The colonies, during this period, have resorted to every peaceable resource in a free constitution, by petitions and remonstrances, to obtain justice; which has been not only denied to them, but they have been treated with unexampled indignity and

contempt; and at length, open war of the most atrocious, cruel and sanguinary kind, has been commenced against them. To this an open, manly and successful resistance has hitherto been made; thirteen colonies are now firmly united in the conduct of this most just and necessary war, under the wise councils of their congress.

It is the will of Providence for wise, righteous, and gracious ends, that this colony should have been singled out, by the enemies of America, as the first object, both of their envy and their revenge; and after having been made the subject of several merciless and vindictive statutes, one of which was intended to subvert our constitution by charter, is made the seat of war:

No effectual resistance to the system of tyranny prepared for us, could be made without either instant recourse to arms, or a temporary suspension of the ordinary powers of government, and tribunals of justice. To the last of which evils, in hopes of a speedy reconciliation with Great Britain, upon equitable terms, the congress advised us to submit:—And mankind has seen a phenomenon, without example in the political world, a large and populous colony, subsisting in great decency and order, for more than a year, under such a suspension of government.

But as our enemies have proceeded to such barbarous extremities, commencing hostilities upon the good people of this colony, and with unprecedented malice exerting their power to spread the calamities of fire, sword and famine through the land, and no reasonable prospect remains of a speedy reconciliation with Great Britain, the congress have resolved:

“That no obedience being due to the act of parliament for altering the charter of the colony of Massachusetts-Bay, nor to a governor or lieutenant-governor, who will not observe the directions of, but endeavor to subvert that charter, the governor and lieutenant-governor of that colony are to be considered as absent; and their offices vacant. And as there is no council there, and inconveniences arising from the suspension of the powers of government are intolerable, especially at a time when general Gage hath actually levied war, and is carrying on hostilities against his majesty's peaceable and loyal subjects of that colony: that, in order to conform as near as may be to the spirit and substance of the charter, it be recommended to the provincial convention to write letters to the inhabitants of the several places which are entitled to representation in assembly, requesting them to

choose such representatives; and that the assembly, when chosen, do elect counsellors; and that such assembly and council exercise the powers of government, until a governor of his majesty's appointment will consent to govern the colony according to its charter."

In pursuance of which advice, the good people of this colony have chosen a full and free representation of themselves, who, being convened in assembly, have elected a council; who, as the executive branch of government, have constituted necessary officers through the colony. The present generation, therefore, may be congratulated on the acquisition of a form of government more immediately, in all its branches, under the influence and controul of the people, and therefore more free and happy than was enjoyed by their ancestors. But as a government so popular can be supported only by universal knowledge and virtue in the body of the people, it is the duty of all ranks to promote the means of education, for the rising generation, as well as true religion, purity of manners, and integrity of life, among all orders and degrees.

As an army has become necessary for our defence, and in all free states the civil must provide for and controul the military power, the major part of the council have appointed magistrates and courts of justice in every county, whose happiness is so connected with that of the people, that it is difficult to suppose they can abuse their trust. The business of it is to see those laws enforced which are necessary for the preservation of peace, virtue and good order. And the great and general court expects and requires that all necessary support and assistance be given, and all proper obedience yielded to them; and will deem every person, who shall fail of his duty in this respect towards them, a disturber of the peace of this colony, and deserving of exemplary punishment.

That piety and virtue, which alone can secure the freedom of any people, may be encouraged, and vice and immorality suppressed, the great and general court have thought fit to issue this proclamation, commanding and enjoining it upon the good people of this colony, that they lead sober, religious and peaceable lives, avoiding all blasphemies, contempt of the holy scriptures, and of the lord's day, and all other crimes and misdemeanors, all debauchery, prophaneness, corruption, venality, all riotous and tumultuous proceedings, and all immoralities whatsoever; and that they decently and reverently attend the public

worship of God, at all times acknowledging with gratitude his merciful interposition in their behalf, devoutly confiding in him, as the God of armies, by whose favor and protection alone they may hope for success, in their present conflict.

And all judges, justices, sheriffs, grand jurors, tything-men, and all other civil officers within this colony, are hereby strictly enjoined and commanded that they contribute all in their power, by their advice, exertions and examples, towards a general reformation of manners, and that they bring to condign punishment every person who shall commit any of the crimes or misdemeanors aforesaid, or that shall be guilty of any immoralities whatsoever; and that they use the utmost endeavors to have the resolves of the congress, and the good and wholesome laws of this colony, duly carried into execution.

And as the ministers of the gospel, within this colony, have, during the late relaxation of the powers of civil government, exerted themselves for our safety, it is hereby recommended to them, still to continue their virtuous labors for the good of the people, inculcating by their public ministry, and private example, the necessity of religion, morality, and good order.

In council, *January 19, 1776.*

Ordered, That the foregoing proclamation be read at the opening of every superior court of judicature, &c. and inferior court of common pleas, and court of general sessions for the peace within this colony, by their respective clerk; and at the annual town meetings in March, in each town.— And it is hereby recommended to the several ministers of the gospel, throughout this colony, to read the same in their respective assemblies on the lord's day next after their receiving it, immediately after divine service.

Sent down for concurrence.

PEREZ MORTON, deputy sec.

In the house of representatives, *January 23, 1776*  
—Read and concurred.

WILLIAM COOPER, speaker, pro tem. consented to.  
William Sever, Walter Spooner, Caleb Cushing, John Winthrop, Thomas Cushing, Moses Gill, Michael Farley, Samuel Holten, Charles Chauncy, Joseph Palmer, John Whetcomb, Jedediah Foster, Eldad Taylor, John Taylor, Benjamin White, James Prescott.

By order of the general court,

PEREZ MORTON, deputy sec.

GOD SAVE THE PEOPLE.

### To the Earl of Dartmouth.

"My lord—If constitutional allegiance to my king, a warm attachment to my country,\* and the most sanguine emotions for peace and permanent union between the parent state and her colonies, will sufficiently expiate for epistolary freedom, permit a minister of the king of kings to address a minister of the king of Great Britain, France, Ireland, and North America: for it is the language of my soul, that the precious American jewel may speedily and immoveably be set in the most effulgent diadem.

Your lordship sustains a twofold character: a soldier of the lord of lords, and secretary of state for the northern department, under our rightful sovereign. High and honorable offices indeed! but every soldier is not an intrepid warrior, or as a noble lord once expressed it, "There are many professors, but few possessors;" nor is every servant of the crown infallible: in both these, every man at best is but a fallible being. This doctrine your lordship *once loved*, being then a *real follower of the Lamb*: for *I well remember several opportunities, and the happy and precious moments of each, when we bowed together at the sacred altar;*† at which, when I beheld the right honorable communicant, *with his livery servants on his right hand and left*, my soul was raised almost to the third Heaven, and my spirits filled with evangelical love! For not many mighty, not many noble, are truly Godly. As your lordship's condescension was so laudable, honorable, and scriptural, as to appear a professor of Christianity, a witness for God, and the truly humble soul, I trust, and firmly believe, that "the most fine gold is *not yet* become dim." To whom then shall I write, or speak in behalf of the miserable convulsed empire; for your lordship hath (*I trust*) eternal life at heart, and everlasting felicity, by faith, in full view.

The parliament of Great Britain say, they have a right to tax or bind the Americans in all cases whatsoever, to which they answer, "As they were born free, free they will be, or die," and upon many of their hats there is this motto, "*freedom or death.*" Upon others, "*God and our rights.*"

Since the battle of Lexington, I have been twice in eight of the thirteen united colonies, namely, Massachusetts-Bay, Rhode Island, Connecticut, New-York, New-Jersey, Pennsylvania, New Castle,

\*Born in the city of Oxford.

†Of the Lock Chapel.

&c.\* and Maryland, all which, except New-York, are almost unanimous in the voice of liberty.—Indeed none (save a few officers under the crown) are willing to be bound by the British parliament, in all cases whatsoever. The Americans declare, a master can lay no grater burden on a slave than to bind him in all cases whatsoever.—These things the united colonies have imbibed, and before this can reach your lordship, Canada will, in all human probability, be added to the thirteen. for St. John's and Montreal have, upon capitulation, surrendered, and the rest of the province, in every other respect, bids fair for a general surrender, or subjection to the American side. In New-York city and province, although there are, I verily believe, more friends to government (as they call themselves) than all the rest of the colonies together can produce, yet in the city and province there is, on the other side of the question, a majority large enough to subdue them at any time: for instance, a few weeks ago some of these friends appeared in the province in opposition to the American voice; whereon a small party went out immediately, who subdued and disarmed them. These friends, my lord, are not worthy of the appellation; they are only sycophants; they flatter with their lips and pens, and deceive (I fear) your lordship and others in administration, from packet to packet. They have repeatedly insinuated, that the New England governments have nothing else in view but independence. It is totally repugnant to truth. Before the sword was drawn, there could not possibly be greater loyalists. In the year 1769, I arrived first in America; and they daily manifested what loving subjects they were: and the dissenting clergy also, in every opportunity, were particularly anxious to invoke the Great Jehovah in behalf of their dread sovereign, of whom they spake in terms the most pathetic; also for all his governors and officers, as well as for others, that peace and happiness, truth and justice, religion and piety, might still be and flourish under his sceptre. Add to this, I justly may, the several conversations I have had with, and the private prayers I have heard by those gentlemen concerning his majesty, his crown and dignity; with all which every loyalist could but be perfectly well pleased. To these facts, my lord, I have not only been an eye witness in one colony, but in many, nay even in Massachusetts-Bay, and her capitol.

\*Although New Castle, &c. belong to Pennsylvania, yet as they in assembly are distinctly represented, and also in the congress, those counties therefore are viewed as, and called one of the united colonies.

Now, my lord, for Christ's sake, attend faithfully.

About two months ago I viewed the camps, Roxbury and Cambridge. The lines of both are impregnable; with forts (many of which are bomb proof) and redoubts, supposing them to be all in a direction, are about 20 miles; the breastworks of a proper height, and in many places 17 feet in thickness, the trenches wide and deep in proportion, before which lay forked impediments, and many of the forts, in every respect, are perfectly ready for battle; the whole, in a word, an admiration to every spectator: for verily their fortifications appear to be the works of seven years, instead of about as many months. At these camps are about 20,000 men, well disciplined. The generals and other officers, in all their military undertakings, solid, discreet, and courageous, the men daily raving for action, and seemingly void of fear. There are many floating batteries, and also batteaus in abundance; besides this strength, 10,000 militia are ordered in that government to appear on the first summons. Provisions and money there are very plenty, and the soldiers faithfully paid. The army in great order, and very healthy, and about six weeks ago lodged in comfortable barracks.—Chaplains constantly attend the camps, morning and night. Prayers are often offered up for peace and reconciliation, and the soldiers very attentive. The roads, at the time I viewed the camps, were almost lined with spectators, and thousands with me can declare the above, respecting the camps, to be a just description; but, my lord, I have more facts to mention.

Continental and provincial currencies, to facilitate this great undertaking, are emitted, which circulate freely, and are daily exchanged for silver and gold. Their harbors, by spring, will swarm with privateers: an admiral is appointed, a court established, and on the 3d instant the continental flag, on board the *Black Prince*, opposite Philadelphia, was hoisted. Many of the captains of those vessels, in the last war, proved their intrepidity to the world by their prizes, and some of them have already taken many valuable prizes which government had ordered to Boston, and thereby must have much distressed the troops: all which the prints will particularize.

The appointment of the continental and provincial congresses and committees, your lordship, without doubt, before now, must be fully acquainted with. These sets of gentlemen, by virtue of the great privileges with which the colonies have

entrusted them, claim now the following prerogatives over the united colonies. The continental congress is over all, under the king; the provincials over the committees, and the committees over the counties. The congresses and committees have so raised and regulated the militia and minutemen, whom they have raised almost in every county, that they make in every city and town, the most warlike appearance. Salt-petre is made in abundance, and powder-mills constantly employed in many provinces; and many believe that there is now in the possession of the Americans, powder enough for three years. This to me is very obvious. Soon after general Gage collected the troops from the several provinces into one body at Boston, the congresses ordered all the shop-keepers not to sell their powder to fowlers and hunters, but to keep the same for the use of the colonies, which in general was faithfully observed. Before this, a person might get a large quantity of powder almost at every large store, or merchant's shop, in every city, town, and county on the continent. Now, all this collected together, and what the mills have made, together with the great quantities taken at St. John's, Montreal, other forts, and on the seas, must make an immense quantity: add to this, the constant employment of the mills, and a great number of privateers faithfully looking out for yours. And, my lord, how is it possible for all store ships to escape a fleet so large, which, at this time, I firmly believe, is composed of 50 sail, and by next spring I shall not marvel if their fleet be doubled.

Iron guns of the best quality have been made in America, and as they have plenty of iron and lead mines, they can make what quantity of cannon, shot, and bullets they please; but administration have lately supplied them with a very valuable assortment of such stores.\* Rifles, infinitely better than those imported, are daily made in many places in Pennsylvania, and all the gun-smiths every where constantly employed. In this country, my lord, the boys, as soon as they can discharge a gun, frequently exercise themselves therewith, some a fowling, and others a hunting. The great quantities of game, the many kinds and the great privileges of killing, make the Americans the best marksmen in the world, and thousands support their families principally by the same, particularly riflemen on the frontiers, whose objects are deer and turkeys. In marching through woods, one thousand of these riflemen would cut to pieces ten thousand of your

\*Store vessels bound to Boston, taken by the continental captains.



best troops. I don't, my lord, speak at random, or write partially; I have travelled too much among these men to be insensible of their abilities.—Oh, my lord! if your lordship knew but one half what I know of America, your lordship would not persist, but be instantly for peace, or resign. But, my lord, construe this epistle as you please, nevertheless, my meaning is, that it should not in the least convey, or even hint, any thing about the legality or illegality of the unhappy dispute. Many great and celebrated writers have moved every nerve, but hitherto in vain. What then can I do, who am but a babe? Not much truly; but when a house is in flames, all run, without distinction, some with buckets, some with grapplings, and others with engines, wishing they providentially may extinguish the fire. Now, my lord, the British empire is really in flames! I cannot therefore be inactive. Suffer then the insignificant with the most significant, to help forward with something. I present therefore for your lordship's acceptance, an engine of facts; the carved works are but homely, but the essential parts are sound, and substantial: try them lawfully and faithfully, and I (by God's permission) will pledge my life they will stand the test; facts are at all times proof against the most inveterate foes. By way of appurtenances, I must add—up the north river, in the province of New-York, there is erected an impregnable fort, against which vessels cannot possibly many minutes survive. In the New England governments, batteries are already made before most of their sea-ports. The minutemen, beforementioned, like firemen, have all things proper and ready to attend on the first alarm. The American coast, long as it is, both by land and sea, is faithfully watched, and posts are every where established. Whether, therefore, administration have in view the east or west of the continent, it matters not; set but a foot ashore to execute their plan, and the same will instantly find enemies; nay, let thousands be landed, and they will immediately find swarms of foes; for the electrical posts riding day and night will soon make them sensible thereof. My lord, administration have not one friend they can call their's, in every respect, that is a resident among the Americans; they have several, it is true, who, for sordid gain, act under the rose; but woe to them if they should be discovered.—Many examples have been already made, and this may be relied on, that in a few months (as ways and means are now under consideration) administration will in every respect in America be friendless. The destroying of Falmouth, and lord Dunmore's proclamation, proclaiming a jubilee to the slaves

and convicts in Virginia, provided they repair to the royal standard in due time, have exasperated the Americans beyond description, and made the breach infinitely wider.—A few days ago his lordship's party was repulsed with great loss. His lordship, my lord, can do nothing but cause the men and treasure now under his command to be sacrificed and expended in vain; for he is surrounded by hundreds of the best riflemen, who have driven his troops out of their intrenchments, &c. Most, if not all, by this time, of his majesty's governors are afloat, and rendered incapable of fulfilling your lordships commands.\*

The most celebrated military authors are reprinted for the use of the young officers, that they may be furnished with every pre-requisite against spring. The ship-carpenters are very busy in getting the rest of the privateers ready, and also other hands to equip them wholly for sailing.

Now, right honorable sir, what will you do?—Where will your lordship look? Where can administration fix their ideas with the least view of success? Say, my lord, that their troops are good; the Americans have again and again repulsed them; not one plan of administration hath had the wished for success; in general they have turned out abortive?—Say further, that 20 or 30,000, nay double the numbers, shall be sent to subdue the Americans—20,000 (descending to the camp phrase) may nearly serve for a breakfast, or rather do for a relish, and so, from time to time, British troops may be transported for the American sacrifice. But administration can destroy all their sea-ports: I reply, a few months ago they might have wrought such devastation, but now they will find it impracticable. Some harbors are blocked up, batteries before others erected, as abovementioned, and when the ice impediments are dissolved in their harbors, no marvel, my lord, if some of the British armament, as well as transports or store-ships, be taken: about an hundred privateers, with the most intrepid marines, and those persons who, last natural war, immortalized their names, again chosen for captains, are (touching their scemes) no contemptible enemy by sea. Convinced I am fully, that an hundred thousand of the best troops Europe can raise will not subdue the Americans, nor make them acquiesce in the parliamentary claims—Let government say what they please in favor of their forces—remember, my lord, the Americans have just such blood, the like courage, the same spirits, and

\*Each riding at anchor before his government, or as near as convenience will admit.

are equal in color and stature, and as well disciplined. Some of their fathers, grand-fathers, and great-grand-fathers, are to British dust returned, and in silent repose, while their sons and grand-sons are struggling for their birth-rights: for they traditionally or constitutionally retain the idea of liberty, and with him of old say, "God forbid that we should sell the inheritance of *our fathers!*"—Whether this be believed or not, I don't know; but one thing I know, albeit the king requesteth, nevertheless, like Naboth, they will resist even unto death.—Blessed be God, we have no Jezebel to stir up his majesty, for his consort is the best of queens, and as such the Americans extol her majesty daily. Perhaps, my lord, this may be viewed as partiality; but I can assure your lordship, I write from conviction, and not from a partial spirit. If I am charged any where herein with partiality, as it is most natural and also very fashionable now to act the sycophant where one's interest is, I certainly flatter your lordship (as I fear too many have), for I have no interest nor kindred here, nor hopes of interest for, or reward for any thing of this nature that I have done or can do. But I have immense hopes and views. My time here is very short, and ere long I shall be in a world of spirits, where the most noble, the right honorable and reverend persons must all appear; "I know not therefore how to give flattering titles unto man: for in so doing my Maker would soon take me away."

If, figuratively, two persons may represent both parties in dispute, there is a striking similarity in sacred writ, with which your lordship is perfectly acquainted, and by which I beg permission to mention the following things.

I view both sides, as to their precious blood, as good old Jacob viewed his sons, Joseph and Benjamin, and am equally with him unwilling that either should be slain. If the British troops must be represented by the elder brother, grieved to my very heart I must be to hear that he is sacrificed; and if the American forces may be compared to the younger, I shall equally lament his death.—May God, of his infinite mercy, save both by a speedy accommodation. Benjamin hath repeatedly petitioned Joseph for redress of grievances; but Joseph would not receive his petitions, but made himself strange, and spake roughly unto him, charging him with having and holding unjustly Pharaoh's cup,\* of which the poor lad is perfectly innocent.—Oh!

\*Not rendering unto Cæsar the things which be Cæsar's.

that Joseph would take Benjamin in his arms and embrace him, for they are brothers! If Benjamin have err'd, let the age and wisdom of Joseph overlook and obliterate all: let him no longer refrain, but fall on his neck and kiss him, and let love and virtue re-unite them. As Joseph embraced and owned Benjamin as his brother, and returned his money, so let the parent state embrace and own the colonies *without fee or reward*, and instantly the sword on both sides will be sheathed; and then Benjamin, as usual, will go and carry corn and money to Joseph, and take his superb clothing in exchange. But if Joseph will yet refrain and not be reconciled, Benjamin is determined to clothe himself with his own wool, and keep his money and send his corn to other merchantmen. Let facts, my lord, apologize for prolixity; I will conclude now with a few lines.

The Americans may be *led* with a *hair*; but they have too much English blood in them, are too well disciplined, and too numerous to be *driven*, even by an hundred thousand of the best forces government can raise. Where government can produce one thousand on the continent, America, with as much ease and expense, can produce ten thousand in opposition: for men, women and children are against the proceedings of administration throughout the united colonies to a wonderful majority. The women, both old and young, being greatly irritated at the inflexibility of administration, are not only willing their sons and brothers should turn out in the field, but also declare that they will give them up and themselves likewise as a sacrifice before they will bow to Pharaoh's task-masters; this makes the raising of troops on the continent very easy. Let a person go into any province, city, town, or county, and ask the females, "Are you willing your sons or brothers should go for soldiers and defend their liberties?" they would severally answer, "Yes, with all my soul, and if they won't go I won't own them as my sons, or brothers; for I'll help myself if there should be any need of mine; if I can't stand in the ranks, I can help forward with powder, balls, and provisions," and presently this will appear more pellucid. Last summer I saw in Philadelphia a company of school-boys, called the Academy company, in their uniforms, with real arms and colors. Upon this, I asked how many such companies were in the city, and for what they were designed; to which I was answered by a gentlewoman, the mother of two of this company, "there are three companies, and as to the design, they are to learn the art or theory of war; and if there should be any occasion for

them in the field of battle, they will go, for they are all volunteers; but I for my part am, I do aver, sir, heartily willing to sacrifice my sons, believing that with such sacrifice God is well pleased: for he has hitherto marvellously blessed our arms and conquered our enemies for us, and he who, in the days of his flesh, spoiled principalities and powers, and made a shew of them openly, will in the end, I doubt not, evince to the world that he is conqueror." This, my lord, is the language of the American women; your lordship knows it is generally the reverse with the English, the mother's and sister's lives are bound up in the boys; but I am afraid I shall trespass on your lordship's patience: Therefore,

In the great name, and for the sake of the ever blessed Trinity, I now beseech your lordship to weigh thoroughly, and with patience, impartiality, and love, this narrative of facts; and may that ever blessed adorable person, Jesus Christ, the wonderful counsellor and prince of peace, give your lordship a right judgment and understanding in all things, and council and influence administration to act wisely, and repeal the acts in dispute, and so make peace. I am, my lord, your lordship's ready and willing servant, for Christ's sake, B. P.  
*Maryland, Dec. 20, 1775.*

### Town of Boston.

*The following proclamation was published by general Washington, on his taking possession of the town of Boston:*

By his excellency George Washington, esq. general and commander in chief of the thirteen united colonies.

"Whereas the ministerial army has abandoned the town of Boston, and the forces of the united colonies, under my command, are in possession of the same: I have therefore thought it necessary for the preservation of peace, good order and discipline, to publish the following orders, that no person offending therein, may plead ignorance as an excuse for their misconduct.

All officers and soldiers are hereby ordered to live in the strictest peace and amity with the inhabitants; and no inhabitant, or other person, employed in his lawful business in the town, is to be molested in his person or property, on any pretence whatever.

If any officer or soldier shall presume to strike, imprison, or otherwise ill-treat any of the inhabitants, they may depend on being punished with the utmost severity; and if any officer or soldier

shall receive any insult from any of the inhabitants, he is to seek redress in a legal way, and no other.

Any non-commissioned officer or soldier or others under my command, who shall be guilty of robbing or plundering in the town, are to be immediately confined, and will be most rigidly punished. All officers are therefore ordered to be very vigilant in the discovery of such offenders, and report their names and crime to the commanding officer in the town, as soon as may be.

The inhabitants and others, are called upon to make known to the quarter-master-general, or any of his deputies, all stores belonging to the ministerial army, that may be remaining or secreted in the town: any person or persons whatever, that shall be known to conceal any of the said stores, or appropriate them to his or their own use, will be considered as an enemy to America, and treated accordingly.

The select men and other magistrates of the town, are desired to return to the commander in chief, the names of all or any person or persons, they may suspect of being employed as spies upon the continental army, that they may be dealt with accordingly.

All officers of the continental army, are enjoined to assist the civil magistrates in the execution of their duty, and to promote peace and good order. They are to prevent, as much as possible, the soldiers from frequenting tippling-houses, and strolling from their posts. Particular notice will be taken of such officers as are inattentive and remiss in their duty; and on the contrary, such only as are active and vigilant will be entitled to future favor and promotion.

Given under my hand, at head quarters, in Cambridge, the 21st day of March, one thousand seven hundred and seventy-six.

GEORGE WASHINGTON."

*Boston, March 29.*

*The address of the honorable council and house of representatives to his excellency George Washington, esq. general and commander in chief of the forces of the united colonies.*

*May it please your excellency—*

"When the liberties of America were attacked by the violent hand of oppression—when troops, hostile to the rights of humanity, invaded this colony, seized our capital, and spread havoc and destruction around it; when our virtuous sons were murdered, and our houses destroyed by the troops of Britain, the inhabitants of this and the other American colonies, impelled by self-preservation

and the love of freedom, forgetting their domestic concerns, determined resolutely and unitedly to oppose the sons of tyranny.

Convinced of the vast importance of having a gentleman of great military accomplishments to discipline, lead, and conduct the forces of the colonies, it gave us the greatest satisfaction to hear that the honorable congress of the united colonies had made choice of a gentleman thus qualified; who, leaving the pleasure of domestic and rural life, was ready to undertake the arduous task. And your nobly declining; to accept the pecuniary emoluments annexed to this high office, fully evidenced to us that a warm regard to the sacred rights of humanity, and sincere love to your country, solely influenced you in the acceptance of this important trust.

From your acknowledged abilities as a soldier, and your virtues in public and private life, we had the most pleasing hopes; but the fortitude and equanimity so conspicuous in your conduct; the wisdom of your councils; the mild, yet strict government of the army; your attention to the civil constitution of this colony, the regard you have at all times shewn for the lives and health of those under your command; the fatigues you have with cheerfulness endured; the regard you have shewn for the preservation of our metropolis, and the great address with which our military operations have been conducted, have exceeded our most sanguine expectations, and demand the warmest returns of gratitude.

The Supreme Ruler of the universe having smiled on our arms, and crowned your labors with remarkable success, we are now, without that effusion of blood we so much wished to avoid, again in the quiet possession of our capital; the wisdom and prudence of those movements, which have obliged the enemy to abandon our metropolis, will ever be remembered by the inhabitants of this colony.

May you still go on approved by Heaven, revered by all good men, and dreaded by those tyrants who claim their fellow men as their property. May the united colonies be defended from slavery by your victorious arms. May they still see their enemies flying before you; and (the deliverance of your country being effected) may you, in retirement, enjoy that peace and satisfaction of mind, which always attends the good and great: and may future generations in the peaceful enjoyment of that freedom, the exercise of which your sword shall establish, raise the richest and most lasting monuments to the name of a *Washington*."

*His excellency's answer.*

"Gentlemen—I return you my most sincere and hearty thanks for your polite address; and feel myself called upon, by every principle of gratitude, to acknowledge the honor you have done me in this testimonial of your approbation of my appointment to the exalted station I now fill; and what is more pleasing, of my conduct in discharging its important duties.

When the councils of the British nation had formed a plan for enslaving America, and depriving her sons of their most sacred and invaluable privileges, against the clearest remonstrances of the constitution, of justice and of truth; and to execute their schemes, had appealed to the sword, I esteemed it my duty to take a part in the contest, and more especially, on account of my being called thereto by the unsolicited suffrages of the representatives of a free people; wishing for no other reward than that arising from a conscientious discharge of the important trust, and that my services might contribute to the establishment of freedom and peace, upon a permanent foundation, and merit the applause of my countrymen, and every virtuous citizen.

Your professions of my attention to the civil constitution of this colony, whilst acting in the line of my department, also demands my grateful thanks. A regard to every provincial institution, where not incompatible with the common interest, I hold a principle of duty, and of policy, and shall ever form a part of my conduct. Had I not learnt this before, the happy experience of the advantages resulting from a friendly intercourse with your honorable body, their ready and willing concurrence to aid and to counsel, whenever called upon in cases of difficulty and emergency, would have taught me the useful lesson.

That the metropolis of your colony is now relieved from the cruel and oppressive invasions of those who were sent to erect the standard of lawless domination, and to trample on the rights of humanity, and is again open and free for its rightful possessors, must give pleasure to every virtuous and sympathetic heart, and being effected without the blood of our soldiers and fellow-citizens, must be ascribed to the interposition of that Providence, which has manifestly appeared in our behalf through the whole of this important struggle, as well as to the measures pursued for bringing about the happy event.

May that Being who is powerful to save, and in whose hands is the fate of nations, look down with

an eye of tender pity and compassion upon the whole of the united colonies; may he continue to smile upon their counsels and arms, and crown them with success, whilst employed in the cause of virtue and mankind.—May this distressed colony and its capital, and every part of this wide extended continent, through his divine favor, be restored to more than their former lustre and once happy state, and have peace, liberty, and safety secured upon a solid, permanent, and lasting foundation.”

GEORGE WASHINGTON.

### South Carolina.

At a general assembly begun and holden at Charleston, on Tuesday the twenty-sixth day of March, in the year of our Lord one thousand seven hundred and seventy-six; and from thence continued, by divers adjournments, to Thursday the eleventh day of April, in the year of our Lord one thousand seven hundred and seventy-six.

*An act to prevent sedition, and punish insurgents and disturbers of the public peace.*

“Whereas a horrid and unnatural war is now carried on by the ministry and parliament of Great Britain, against the united colonies of North America in general, and this colony in particular, with a cruel and oppressive design of robbing the colonies and good people of this colony of their dearest and most valuable rights as freemen, and reducing them to a state of the most abject slavery and oppression: and whereas, also, in order further to accomplish the said iniquitous and unwarrantable designs, every means has been adopted by a wicked administration to sow civil dissensions and animosities, and to create disorder, confusion and bloodshed amongst the good people of this colony, by employing secret emissaries to stir up in the minds of wicked and evil-disposed persons, persuasions and principles inimical to the ties of humanity, and the common rights of mankind, and thereby inducing them not only to disturb the common peace, safety, and good order of this colony, but to take up arms and spill the blood of their fellow-citizens, who are only acting in the defence of their lives, liberties, and properties, against the hands of a lawless and despotic power: to the intent, therefore, and in order the more effectually to preserve and secure the peace, order, and good government of this colony, and to deter and prevent such evil-minded persons from committing such offences, and all such other offences declared in this act, to the great danger of the lives, liberties, and properties of the inhabitants of this colony: Be it enacted by his excellency John Rutledge, esq. pre-

sident and commander in chief in and over the colony of South Carolina, and by the honorable legislative council and general assembly of the colony, and by the authority of the same, that any person or persons within this colony do, shall, from, and immediately after, the passing this act, take up arms with a hostile intent, by force and violence, or by words, deeds, or writing, or any other means whatsoever, cause, induce, or persuade, or attempt to cause, induce, or persuade any other person or persons, with such hostile intent, to take up arms, and by force and violence to oppose and subvert the authority of the government of this colony, established by the constitution, agreed on and confirmed in congress at Charleston, on the twenty-sixth day of March, one thousand seven hundred and seventy-six, or wound, maim, or kill any person or persons, destroy any of the houses, goods, or chattels of any such persons, who shall under, and by virtue of any authority of the said government, be acting in support and defence of the same, or the exercise of any power, authority or office derived therefrom, all and every of such person or persons, the aider and abettor, or aiders and abettors of such person or persons so offending, in either the offences aforesaid, shall, on being indicted and convicted of the same, by due course of law, be deemed and adjudged guilty of felony, and suffer death without benefit of clergy.

And be it further enacted by the authority aforesaid, That if any persons within this colony shall immediately after the passing of this act, or any time thereafter, by letter, writing, message or other means of intelligence, hold any correspondence or intercourse, or conspire or concert in any manner whatever with, or aid or abet any land or naval force, raised or to be raised, or which shall be sent by Great Britain, in a hostile manner against this colony, or any other force or body of men within this colony, who shall, in a hostile intent or manner, oppose the power and authority of the present government of this colony, established as aforesaid, with an intent to promote the accomplishments of any hostile plan of operation designed by such force or forces against the liberties and properties of all or any of the inhabitants and friends to the constitution of this colony, established as aforesaid—every such person or persons, so offending in any of the said offences, shall, on being indicted and convicted thereof by due course of law, be deemed and adjudged guilty of felony, and suffer death without benefit of clergy.

And be it further enacted by the authority aforesaid, That if any person or persons within this colony shall, immediately after the passing of this act, or at any time thereafter, furnish or supply, or cause or procure to be furnished or supplied, with any bills of exchange, monies, goods, provisions, liquors, or other necessary articles of subsistence, or any military or naval stores whatever, any of the land or naval forces, raised or to be raised, or sent by Great Britain, or any authority derived from that government, against this colony, or shall, in like manner, furnish or supply, or cause to be furnished or supplied, any force or body of men who shall, in a hostile manner, oppose the government of this colony, established as aforesaid—every such person or persons, so offending in either of the offences aforesaid, and the aider or abettor, or aiders and abettors of any of the said offences, shall, on being indicted or convicted thereof, by due course of law, be deemed and adjudged guilty of felony, and suffer death without benefit of clergy.

And be it further enacted by the authority aforesaid, That if any person or persons within this colony shall, at any time after the passing of this act, compel, induce, persuade, or attempt to compel, induce, or persuade any white person, or persons, or any free negro, or negroes, mulatto or mulattoes, Indian or Indians, to desert from their habitation or habitations, or any negro or other slave or slaves, to desert from his or their master, mistress, or owner, and to join any land or naval force, raised or to be raised, or sent by Great Britain, or any authority derived from that government, against the united colonies of America, or this colony, or to join any person or persons armed in a hostile manner, with intent to oppose or subvert the government of this colony, established as aforesaid, or with intent of killing any person or persons, or destroying his, her, or their goods or property, who shall be acting, or ready and willing to act in support and defence of such government, or any of the inhabitants of this colony and friends to the same—every such person or persons, so offending in any of the above offences, and all such as shall aid and abet the said offender, or offenders, in the perpetration and execution of any of the said offences, shall, on conviction thereof, by due course of law, be deemed and adjudged guilty of felony, and shall suffer death without benefit of clergy. Provided always, nevertheless, that nothing in this act contained shall be construed or taken to prevent the good people of this colony from raising of slaves or negroes, for the better defence of this colony

against all enemies whatsoever, who shall invade or attack the same, or endanger the safety thereof.

And be it further enacted by the authority aforesaid, That if any person or persons within this colony shall, immediately after the passing of this act, or at any time thereafter, collect or assemble with any body or assembly of persons, or cause or procure them to be so collected and assembled, with intent, in a riotous and seditious manner, to disturb the public peace and tranquillity, and the good order of the government, and by words or otherwise to create and raise traitorous seditions or discontents in the minds of the good people of this colony, against the authority of the present government established as aforesaid—every such person or persons, so offending in any of the said offences, shall, on conviction thereof, by due course of law, be deemed and adjudged guilty of felony.

And be it further enacted by the authority aforesaid, That the lands and tenements, goods and chattels, and other real and personal estate of all such person or persons, who shall be duly convicted, by virtue of this act, of any of the crimes and offences thereby made felony, shall, within one month after such conviction, by the sheriff of each district respectively, in which such real and personal estate of the person or persons so convicted, or any part thereof, shall be found, with three freeholders of the said district, be appraised upon oath, and the said appraisal duly returned, by the said sheriff of such district, to the secretary's office in Charleston, within one month after such appraisal is made, and the said sheriff of such district in which the appraisal is made, as aforesaid, shall, within one month thereafter, expose such estate so appraised to public sale, first giving twenty-one days public notice of the sale; and shall, within three months after such sale, deposit the amount of the same, deducting legal poundage and charges, in the office of the colony treasury in Charleston, and the commissioners of the colony treasury, or any one of them, on receipt of such monies from the sheriff, as aforesaid, shall give a receipt or voucher for the same.

And be it further enacted by the authority aforesaid, That if any sheriff or sheriffs, for any of the districts in this colony, shall in any wise transgress, or disobey, or neglect the putting in execution, any of the provisions or clauses in this act, respecting their duty and office—every sheriff so offending, disobeying or neglecting the same, shall forfeit his office, and incur the penalty of one thousand pounds

current money, to be sued for, and recovered by bill or plaint in any court of record in this colony, wherein no essoign, privilege, protection or wager of law, or more than one imparlance, shall be allowed.

And be it further enacted by the authority aforesaid, That the monies arising from the sale of all such estates as shall become forfeited, by virtue of this act, shall be appropriated for a fund, and shall become a reprisal fund, for reimbursing all such losses and damages which have been, or shall be sustained by any person or persons who have been, are, or shall be, engaged in opposition to the oppressive measures of the British ministry, or the defence of the present established constitution, and the liberties of this colony.

And be it further enacted by the authority aforesaid, That no person or persons shall be reimbursed, by virtue of this act, for any losses or damages sustained from persons acting in open hostility against the present constitution of government, and the liberties of this colony, unless the said reimbursement be, on application, and oath made of the damages actually sustained, deemed just and reasonable by the general assembly of this colony, or such other body or persons as the legislative body of this colony shall appoint: Provided always, nevertheless, That such person or persons, to whom such reimbursement shall be thought reasonable, do first, before the receipt thereof, take and subscribe the oath of fidelity, ordained in the present constitution, if such person or persons had not before taken and subscribed the same.

And be it further enacted by the authority aforesaid, That the fines and penalties to be incurred, by virtue of this act, shall, upon recovery thereof, be paid into the colony treasury, to be applied to, and for such uses and purposes as are herein mentioned.

G. G. POWELL, speaker of the  
Legislative council.

JAMES PARSONS, speaker of the  
General assembly.

In the council chamber, the 11th day of April, 1776—Assented to,

J. RUTLEDGE.

In general assembly, South Carolina, April 11, 1776.

Ordered, That the speech this day delivered to both houses, by his excellency the president and commander in chief of this colony, be forthwith printed and made public, as well in the newspapers as otherwise.

By order of the house,

PETER TIMOTHY, clerk G. A.

Honorable gentlemen of the legislative council—

Mr. Speaker and gentlemen of the general assembly,

It has afforded me much satisfaction to observe, that though the season of the year rendered your sitting very inconvenient, your private concerns, which must have suffered greatly by your long and close application, in the late congress, to the affairs of the colony, requiring your presence in the county, yet continuing to prefer the public weal to ease and retirement, you have been busily engaged in framing such laws as our peculiar circumstances rendered absolutely necessary to be passed before your adjournment. Having given my assent to them, I presume you are now desirous of a recess.

On my part, a most solemn oath has been taken for the faithful discharge of my duty; on yours, a solemn assurance has been given to support me therein. Thus, a public compact between us stands recorded. You may rest assured that I shall keep this oath ever in mind—the constitution shall be the invariable rule of my conduct—my ear shall be always open to the complaints of the injured, justice, in mercy, shall neither be denied, or delayed—Our laws and religion, and the liberties of America, shall be maintained and defended, to the utmost of my power. I repose the most perfect confidence in your engagement.

And now, gentlemen, let me intreat that you will, in your several parishes and districts, use your influence and authority to keep peace and good order, and procure strict observance of, and ready obedience to the law. If any persons therein are still strangers to the nature and merits of the dispute between Great Britain and the colonies, you will explain it to them fully, and teach them, if they are so unfortunate as not to know their inherent rights. Prove to them, that the privilege of being tried by a jury of the vicinage, acquainted with the parties and witnesses; of being taxed only with their own consent, given by their representatives, freely chosen by, and sharing the burden equally with themselves, not for the aggrandizing a rapacious minister, and his dependent favorites, and for corrupting the people, and subverting their liberties, but for such wise and salutary purposes, as they themselves approve; and of having their internal polity regulated, only by laws consented to by competent judges of what is best adapted to their situation and circumstances, equally bound too by those laws, are inestimable, and derived from that constitution, which is the birth-right of the poorest man, and the best inheritance of the

not wealthy. Relate to them the various, unjust and cruel statutes, which the British parliament, claiming a right to make laws for binding the colonies in all cases whatsoever, have enacted; and see many sanguinary measures which have been, and are daily pursued and threatened, to wrest from them those invaluable benefits; and to enforce upon them an unlimited and destructive claim. To the most illiterate it must appear, that no power on earth can, of right, deprive them of the hardy earned fruits of their honest industry, toil and labor—even to them, the impious attempt to prevent many thousands from using the means of subsistence provided for man by the bounty of his creator, and to compel them, by famine, to surrender their rights, will seem to call for Divine vengeance. The endeavors, by deceit and bribery, engage barbarous nations to embrace their hands the innocent blood of helpless women and children; and the attempts by fair but false promises, make ignorant domestics subservient to the most wicked purposes, are acts at which humanity must revolt.

Show your constituents, then, the indispensable necessity which there was for establishing some mode of government in this colony; the benefits of that, which a full and free representation has established; and that the consent of the people is the origin, and their happiness the end of government. Remove the apprehensions with which honest and well-meaning, but weak and credulous, minds may be alarmed; and prevent ill impressions by selfish and designing enemies. Let it be known that this constitution is but temporary, till an accommodation of the unhappy differences between Great Britain and America can be obtained; and that such an event is still desired by men who yet remember former friendships and intimate connections, though, for defending their persons and properties, they are stigmatized and treated as rebels.

Truth, being known, will prevail over artifice and misrepresentation.—In such case no man, who is worthy of life, liberty, or property, will, or can, refuse to join with you, in defending them to the last extremity, disdaining every sordid view, and every mean paltry considerations of private interest and present emolument, when placed in competition with the liberties of millions; and seeing that there is no alternative but absolute, unconditional submission, and the most abject slavery, or a desperate becoming men born to freedom, he will not hesitate about the choice. Although superior force

may, by the permission of Heaven, lay waste our towns, and ravage our country, it can never eradicate from the breasts of freemen, those principles which are ingrafted in their very nature.—Such men will do their duty, neither knowing, nor regarding consequences; but submitting them, with humble confidence, to the omniscient and omnipotent arbiter and director of the fate of empires, and trusting that his Almighty arm, which has been so signally stretched out for our defence, will deliver them in a righteous cause.

The eyes of Europe, nay of the whole world, are on America. The eyes of every other colony are on this; a colony, whose reputation for generosity and magnanimity, is universally acknowledged. I trust, therefore, it will not be diminished by our future conduct; that there will be no civil discord here; and that the only strife amongst brethren will be, who shall do most to serve and to save an oppressed and injured country.

JOHN RUTLEDGE.

April 11, 1776.

To his excellency John Rutledge, esq. president and commander in chief in and over the colony of South Carolina.

The address of the legislative council and general assembly.

May it please your excellency—

We, the legislative council and general assembly of South Carolina, convened under the authority of the equitable constitution of government established by a free people in congress, on the 26th ult. beg leave, most respectfully, to address your excellency.

Nothing is better known to your excellency than the unavoidable necessity which induced us, as members of congress, on the part of the people, to resume the powers of government, and to establish some mode for regulating the internal polity of this colony; and, as members of the legislative council and general assembly, to vest you, for a time limited, with the executive authority. Such constitutional proceedings, on our part, we make no doubt will be misconstrued into acts of the greatest criminality by that despotism, which, lost to all sense of justice and humanity, has already pretended that we are in actual rebellion. But, sir, when we reflect upon the unprovoked, cruel, and accumulated oppressions under which America, in general, and this colony in particular, has long continued; oppressions which, gradually increasing in injustice and violence, are now, by the inexorable tyranny perpetrated against the united



colonies, under the various forms of robbery, confagurations, massacre, breach of public faith, and open war; conscious of our natural and unalienable rights, and determined to make every effort in our power to retain them, we see your excellency's elevation from the midst of us, to govern this country, as the natural consequence of such outrages.

By the suffrages of a free people you, sir, have been chosen to hold the reins of government, an event as honorable to yourself as beneficial to the public. We firmly trust that you will make the constitution the great rule of your conduct; and, in the most solemn manner, we do assure your excellency that, in the discharge of your duties, under that constitution which looks forward to an accommodation with Great Britain (an event which, though traduced and treated as rebels, we still earnestly desire,) we will support you with our lives and fortunes.

In the legislative council, the 3d day of April, 1776. GEORGE GABRIEL POWELL, speaker.

In the general assembly, the 3d day of April, 1776.

By order of the house,

JAMES PARSONS, speaker.

*His excellency's answer.*

*Honorable gentlemen of the legislative council, Mr. Speaker, and gentlemen of the general assembly.*

My most cordial thanks are due, and I request that you will accept them, for this solemn engagement of support, in discharging the duty of the honorable station to which, by your favor, I have been elected.

Be persuaded, that no man would embrace a just and equitable accommodation with Great Britain more gladly than myself; but, until so desirable an object can be obtained, the defence of my country, and preservation of that constitution which, from a perfect knowledge of the rights, and a laudable regard to the happiness of the people, you have so wisely framed, shall engross my whole attention.

To this country I owe all that is dear and valuable, and would, with the greatest pleasure, sacrifice every temporal felicity to establish and perpetuate her freedom.

J. RUTLEDGE.

*In general assembly, April 6, 1776.*

Ordered, That the following resolutions be forthwith printed and made public.

By order of the house,

PETER TIMOTHY, clerk G. A.

Whereas, the honorable the continental congress hath resolved, "that, in the present situation of our affairs, it will be very dangerous to the liberty and welfare of America, if any colony separately petition the king or either house of parliament." And whereas no step should be untried to promote the general welfare of the colonies, whereas the sending commissioners from Great Britain to treat with the different colonies is dangerous to the stability of the liberties of America: Therefore—

Resolved, That it is the opinion of this congress, that no measures should be left untried to establish the liberties of America, and to secure them as far as may be, out of the reach of fraudulent schemes to subvert them by negotiation; and that this colony should not enter into any treaty or correspondence with the court of Great Britain with any person or persons under that authority, but through the medium of the continental congress.

Resolved also, That it is the opinion of this congress, that if any person or persons sent from Great Britain to treat with the several colonies shall arrive in this colony by water, such person or persons, and their retinue or company, shall not, upon any pretence, be allowed to land, remain in the colony longer than forty-eight hours, wind and weather permitting; or while so remaining, to hold any communication with any person in this colony, but through his excellency the governor; and if any such persons shall arrive by land, they should be forthwith escorted out of the colony, and not permitted to hold conference with any person not for that purpose authorized by the governor; and that for the mere purpose of accommodation.

*New Jersey. In Provincial congress.*

*Burlington, June 14, 1776.*

Resolved, That, in the opinion of this congress, the proclamation of William Franklin, esq. governor of New Jersey, bearing date the thirteenth day of May last, in the name of the king of Great Britain, appointing a meeting of the general assembly, to be held on the twentieth of this instant June, ought not to be obeyed.

Resolved, That, in the opinion of this congress, the said William Franklin, esq. by such his declaration, has acted in direct contempt and violation of the resolve of the continental congress of the day of May last.

Resolved, That, in the opinion of this congress,

all payments of money on account of salary or otherwise, to the said William Franklin, esq. as governor, ought from henceforth to cease; and that the treasurer or treasurers of this province, shall account for the monies in their hands to this congress, or to the future legislature of this colony.

By order of the congress,

SAMUEL TUCKER, president.

*A true copy,*

WILLIAM PATTERSON, secretary.

*An address to the inhabitants of New Jersey.*

*Countrymen and friends—*

This province has been requested by the continental congress to send, without delay, from their militia, three thousand three hundred men to New-York, in consequence of authentic information that the grand attack of our common enemy this summer, which will probably prove the decisive campaign, is to be upon that city; and that their force may be expected there in a few days.—Your representatives in this congress have, with all the despatch in their power, and with the utmost unanimity, prepared an ordinance for raising the number called for, as equally from the different parts of the province as possible. They have determined to raise the men by voluntary enlistment in the several counties, in full confidence that, in this war, they will be raised most speedily, as well as consist of persons of the greatest spirit and alacrity for the important service. Filled with the same zeal for the defence of their country, they apply to you by this short address—and, in the most earnest and affectionate manner, entreat you not to sully the reputation acquired on all former occasions; but to give a new proof to the public of your courage and intrepidity, as men, of your unalterable attachment to the liberties of America, and the sincerity of your unanimous resolutions from the beginning of this contest. Were there time to draw up a long discourse in this hour of danger, the arguments that might be used are innumerable; and as some of them are of the most urgent, so (blessed be God) others are of the most encouraging and animating kind.

The danger is not only certain, but immediate and imminent. It does not admit of a moment's delay, for our unjust and implacable enemy is at hand. The place where the attack is expected is of the last importance; not only a city of great extent, the interest of whose numerous inhabitants must be exceedingly dear to us, but situated in the middle of the colonies, and where the success of the enemy would separate the provinces, and

disunite their efforts by land, which are of necessity liable to interruption from the enemy's fleet by sea. It is scarce worth while to add, that this province, by its vicinity, would then be exposed to the cruel depredations of the enemy, who, happily, hitherto have been able to do us little or no mischief but by theft and rapine. It would seem to carry unjust suspicion of you to say any more on our own private interest, as we hope every honest man is chiefly concerned for, and will strain every nerve in support of, the common cause of the united colonies.

We cannot help putting you in mind how signally Almighty God has prospered us hitherto, and crowned our virtuous efforts with success. The expulsion of the enemy from Boston, where they first took possession, and began their oppressive measures, was an event as disgraceful to them, as it was advantageous to the public cause, and honorable to that brave and resolute army by which it was accomplished. It will certainly be no small encouragement to those who shall now proceed to the place of danger, that they shall join with many of the same soldiers, who have gained immortal honor by their past conduct, as well as serve under that wise and able leader, whose prudence, firmness and attention to his great charge, have procured him the most unlimited confidence, both of those who direct the public counsels, and of those who are in arms under his command.

We must not forget the activity and success of the inhabitants of the southern colonies. They run to arms in thousands the moment they heard of an attack, both in Virginia and North Carolina. God was pleased, in both cases, to reward their alacrity, for they obtained a complete victory over their enemies with so little loss of blood, as was not barely wonderful, but scarcely credible. At the battle of Moor-Creek Bridge, there were but few men killed, and at Norfolk Great-Bridge we did not lose a single life.

Time does not permit us to enlarge on the past events of this war, in which the kindness of Providence is so clearly to be seen. We therefore only further observe, that, by the preparations in Britain for this campaign, and by all the intelligence received from Europe, it is plain that not honor and advantage only, but absolute necessity requires us to exert our utmost efforts, for our all is at stake. Every one now is obliged to confess what many saw long ago, that entire and unconditional submission is the point to which our enemies are

determined to bring us, if in their power; so that nothing remains for us but either the abject slavery of tributary states, or to maintain our rights and liberties by force of arms, and hand down the fair inheritance to our posterity, by a brave and determined defence.

We desire and expect, that, in such a situation of things, all particular difference of small moment, arising from whatever cause, whether religious denominations, rivalry of different classes of men, scarcity of some articles of commerce, or any other, may be entirely laid aside. The present danger requires the most perfect union. Let every enemy perceive, that the representatives of the colonies, as soon as they determine upon any measure, are able to bring out the whole strength of this vast country to carry it into execution.

That you may be under no apprehension either of inequality in the burden, or that our own coasts will be left unguarded by the destination of this brigade, we have thought it best to inform you, that the continental congress have amply provided for the defence of this province, and have made such arrangement of the continental army for the ensuing campaign, as lays an equal burden on the inhabitants of the different colonies; in particular, that a flying camp of ten thousand men is now forming for the protection of the middle colonies, which, we are credibly informed, is to have its chief station in this province. We add no more, but that we trust and hope, that, while every province is making the most spirited efforts, New Jersey in its place and duty will be second to none.

Signed in name, and by appointment of congress, at Burlington, June 15, 1776.

SAMUEL TUCKER, president.

*A true copy,*

WM. PATTERSON, secretary.

*Extract from the instructions to the representatives of the town of Boston, 1776.*

Gentlemen—Touching the internal police of this colony, it is essentially necessary, in order to preserve harmony among ourselves, that the constituent body be satisfied that they are fairly and fully represented. The right to legislate is originally due to every member of the community; which right is always exercised in the infancy of a state: but, when the inhabitants are become numerous, it is not only inconvenient, but impracticable, for all to meet in one assembly; and hence arose the necessity and practice of legislating by a few, freely chosen by the many. When

this choice is free, and the representation equal, it is the people's fault if they are not happy: we therefore instruct you to devise some means to obtain an equal representation of the people of this colony in the legislature:—but care should be taken that the assembly be not unwieldy; for this would be an approach to the evil meant to be cured by representation. The largest bodies of men do not always despatch business with the greatest expedition, nor conduct it in the wisest manner.

It is essential to liberty, that the legislative, judicial, and executive powers of government be, as nearly as possible, independent of, and separate from each other; for where they are united in the same persons, or number of persons, there would be wanting that mutual check which is the principal security against the making of arbitrary laws, and a wanton exercise of power in the execution of them. It is also of the highest importance, that every person in a judiciary department employ the greatest part of his time and attention in the duties of his office; we therefore further instruct you, to procure the enacting such law or laws, as shall make it incompatible for the same person to hold a seat in the legislative and executive departments of government, at one and the same time: that shall render the judges, in every judicatory through the colony, dependent, not on the uncertain tenure of caprice or pleasure, but on an unimpeachable department in the important duties of their station, for their continuance in office; and to prevent the multiplicity of offices in the same person, that such salaries be settled upon them as will place them above the necessity of stooping to any indirect or collateral means for subsistence. We wish to avoid a profusion of the public monies 'on the one hand, and the danger of sacrificing our liberties to a spirit of parsimony on the other. Not doubting of your zeal and abilities in the common cause of our country, we leave your discretion to prompt such exertions, in promoting any military operations, as the exigencies of our public affairs may require: and in the same confidence of your fervor and attachment to the public weal, we readily submit all other matters of public moment, that may require your consideration, to your own wisdom and discretion.

*At a legal meeting of the inhabitants of the town of Malden, [Mass.] May 27, 1776, it was voted unanimously, that the following instructions be given to their representative, viz.*

*To Mr. Ezra Surgeant.*

SIR—A resolution of the hon. house of representatives, calling upon the several towns in this

colony to express their minds with respect to the important question of American independence, is the occasion of our now instructing you. The time was, sir, when we loved the king and the people of Great Britain with an affection truly filial; we felt ourselves interested in their glory; we shared in their joys and sorrows; we cheerfully poured the fruit of all our labors into the lap of our mother-country, and without reluctance expended our blood and our treasure in their cause.

These were our sentiments towards Great Britain while she continued to act the part of a parent state; we felt ourselves happy in our connection with her, nor wished it to be dissolved; but our sentiments are altered, it is now the ardent wish of our souls that America may become a free and independent state.

A sense of unprovoked injuries will arouse the resentment of the most peaceful. Such injuries these colonies have received from Britain. Unjustifiable claims have been made by the king and his minions to tax us without our consent; these claims have been prosecuted in a manner cruel and unjust to the highest degree. The frantic policy of administration hath induced them to send fleets and armies to America; that, by depriving us of our trade and cutting the throats of our brethren, they might awe us into submission, and erect a system of despotism in America, which should so far enlarge the influence of the crown as to enable it to rivet their shackles upon the people of Great Britain.

This plan was brought to a crisis upon the ever memorable nineteenth of April. We remember the fatal day! the expiring groans of our countrymen yet vibrate on our ears! and we now behold the flames of their peaceful dwellings ascending to Heaven! we hear their blood crying to us from the ground for vengeance! charging us, as we value the peace of their manes, to have no further connection with —, who can unfeelingly hear of the slaughter of —, and composedly sleep with their blood upon his soul. The manner in which the war had been prosecuted hath confirmed us in these sentiments; piracy and murder, robbery and breach of faith, have been conspicuous in the conduct of the king's troops; defenceless towns have been attacked and destroyed: the ruins of Charles-town, which are daily in our view, daily reminds us of this: the cries of the widow and the orphan demand our attention; they demand that the hand of pity should wipe the tear from their eye, and

that the sword of their country should avenge their wrongs. We long entertained hopes that the spirit of the British nation would once more induce them to assert their own and our rights, and bring to condign punishment the elevated villains who have trampled upon the sacred rights of men, and affronted the majesty of the people. We hoped in vain; they have lost their love to freedom; they have lost their spirit of just resentment; we therefore renounce with disdain our connexion with a kingdom of slaves; we bid a final adieu to Britain.

Could an accommodation be now effected, we have reason to think that it would be fatal to the liberties of America; we should soon catch the contagion of venality and dissipation, which hath subjected Britons to lawless domination. Were we placed in the situation we were in 1763: were the powers of appointing to offices, and commanding the militia, in the hands of governors, our arts, trade and manufactures would be cramped; nay, more than this, the life of every man who has been active in the cause of his country would be endangered.

For these reasons, as well as many others which might be produced, we are confirmed in the opinion, that the present age will be deficient in their duty to God, their posterity and themselves, if they do not establish an American republic. This is the only form of government which we wish to see established; for we can never be willingly subject to any other King than he who, being possessed of infinite wisdom, goodness and rectitude, is alone fit to possess unlimited power.

We have freely spoken our sentiments upon this important subject, but we mean not to dictate; we have unbounded confidence in the wisdom and uprightness of the continental congress: with pleasure we recollect that this affair is under their direction: and we now instruct you, sir, to give them the strongest assurance that, if they should declare America to be a free and independent republic, your constituents will support and defend the measure, to the last drop of their blood, and the last farthing of their treasure.

Attest.

SAM. MERRIT, town-clerk.

*Extracts from the Journal of the Provincial congress of South Carolina.*

*In congress, Feb. 8, 1776.*

Resolved, That Mr. President do signify the approbation of this congress, and present their thanks to the hon. Henry Middleton, and John

Rutledge, esqrs. now present in congress, and to the other delegates of this colony at Philadelphia, for their important services in the American congress.

Mr. President accordingly addressed himself to the hon. Mr. Middleton, and Mr. Rutledge, as follows:

*Gentlemen*—When the hand of tyranny, armed in hostile manner, was extended from Great Britain to spoil America of whatever she held most valuable, it was, for the most important purposes, that the good people of this colony delegated you to represent them in the continental congress, at Philadelphia. It became your business to ascertain the rights of America, to point out her violated franchises, to make humble representation to the king for redress, and, he being deaf to the cries of his American subjects, to appeal to the King of kings, for the recovery of the rights of an infant people, by the majesty of Heaven formed for future empire.

In this most important business you engaged, as became good citizens; and, step by step, you deliberately advanced through it, with a regret and sorrow, and with a resolution and conduct, that bear all the characters of ancient magnanimity. Your constituents, with a steady eye, beheld your progress. They saw the American claim of rights, the association for the recovery of American franchises, and the humble petition to the king for redress of grievances. They saw the American appeal to the King of kings; and a second humble petition to the British monarch, alas! as unavailing as the first. They have also seen the establishment of an American naval force, a treasury, a general post-office, and the laying on a continental embargo: in short, they have seen permission granted to colonies to erect forms of government independent of, and in opposition to, the regal authority.

Your country saw all these proceedings, the work of a body of which you were and are members; proceedings arising from dire necessity, and not from choice; proceedings that are the natural consequences of the present inauspicious reign; proceedings just in themselves, and which, notwithstanding the declarations of the corrupt houses of parliament, the proclamation at the court of St. James's, the 23d of August, and the subsequent royal speech in parliament, are exactly as far distant from treason and rebellion, as stands the glorious revolution, which deprived a tyrant of his

kingdoms, and elevated the house of Brunswick to royalty.

Worthy delegates! It is the judgment of your country that your conduct, of which I have marked the grand lines, in the American congress, is justifiable before God and man, and that, whatever may be the issue of this defensive civil war, in which, unfortunately, though gloriously, we are engaged, whether independence or slavery, all the blood, and all the guilt, must be imputed to British not to American counsels.—Hence your constituents, sensible of the propriety of your conduct, and of the benefits which, with the blessing of the Almighty, it is calculated to shed upon America, have constituted me, their instrument, as well to signify to you their approbation, as to present to you their thanks: and it is in the discharge of these duties that I now have the honor to address you.

In an important crisis, like the present, to receive the public thanks of a free people, is to receive the most honorable recompense for past services, and to deserve such thanks is to be truly great. I know that it is with pain such men bear their commendations. Gentlemen, with the public recompense, I mean to pay into you my mite also; and lest I wound your delicacy, when I mean only to do justice to your merit, I forbear to particularize what is already well known. I therefore confine myself; and I do most respectfully, in the name of the congress, present to you, and to each of you, the thanks of your country, for your important services in the American congress at Philadelphia.

*Boston, April 25, 1776.*

*The corporation of Harvard College in Cambridge, in New England, to all faithful in Christ, to whom these presents shall come greeting:*

Whereas academical degrees were originally instituted for this purpose, that men, eminent for knowledge, wisdom and virtue, who have highly merited of the republic of letters, should be rewarded with the honor of these laurels, there is the greatest propriety in conferring such honor on that very illustrious gentleman, George Washington, esq. the accomplished general of the confederated colonies in America; whose knowledge and patriotic ardour are manifest to all; who, for his distinguished virtues, both civil and military, is the first place being elected by the suffrages of the Virginians one of their delegates, exerted himself with fidelity and singular wisdom in the celebrated congress in America, for the defence of liberty, when in the utmost danger of being forever lost, and for the salvation of his country; and then

at the earnest request of that grand council of patriots, without hesitation, left all the pleasures of his delightful seat in Virginia, and the affairs of his own estate, that, through all the fatigues and dangers of camp, without accepting any reward, he might deliver New England from the unjust and cruel arms of Great Britain, and defend the other colonies; and who, by the most signal smiles of Divine Providence on his military operations, *drove the fleet and troops of the enemy with disgraceful precipitation from the town of Boston*, which for eleven months had been shut, fortified and defended by a garrison of above 7000 regulars; so that the inhabitants, who suffered a great variety of hardships and cruelties while under the power of their oppressors, now rejoice in their deliverance; the neighboring towns are also freed from the tumults of arms, and our university has the agreeable prospect of being restored to its ancient seat.

Know ye, therefore, that we, the president and fellows of Harvard College in Cambridge, (with the consent of the honored and reverend overseers of our academy) have constituted and created the aforesaid gentleman, George Washington, who merits the highest honor, doctor of laws, the law of nature and nations, and the civil law; and have given and granted him at the same time all rights, privileges and honors to the said degree pertaining.

In testimony whereof, we have affixed the common seal of our university to these letters, and subscribed them with our hand-writing, this third day of April, in the year of our Lord one thousand seven hundred and seventy-six.

SAMUEL LANGDON, S. T. D. Preses.

NATHANIEL APPLETON, S. T. D.

JOHANNES WINTHROP, Mat. et. Phi. P.

ANDREAS ELLIOT, S. T. D. (Hol.) L. L. D.

SAMUEL COOPER, S. T. D.

JOHANS WADSWORTH, Log. et. Eth. Pre.

Savannah, (Georgia) June 20, 1776.

Our provincial congress met here on the 6th inst. when his excellency Archibald Bullock, esq. president and commander in chief of the province of Georgia, delivered the following speech:

Mr. Speaker, and gentlemen of the congress—

The state of the province at your last meeting made it absolutely necessary to adopt some temporary regulations for the preservation of the public peace and safety; and your appointment of me to carry these things into execution, at a time so critical and important to the welfare of this coun-

try, requires an exertion of the greatest prudence and abilities.

At a time, when our rights and privileges are invaded, when the fundamental principles of the constitution are subverted, and those men whose duty should teach them to protect and defend us, are become our betrayers and murderers; it calls aloud on every virtuous member of the community to stand forth, and stem the prevailing torrent of corruption and lawless power.

The many and frequent instances of your attachment towards me, and an ardent desire to promote the welfare of my country, have induced me to accept of this weighty and important trust; for your interest only I desire to act; and relying on your aid and assistance in every difficulty, I shall always most confidently expect it.

Some venal disaffected men may endeavor to persuade the people to submit to the mandates of despotism; but surely every freeman would consider the nature, and inspect the designs and execution of that government, under which he may be called to live. The people of this province, in opposing the designs of a cruel and corrupt ministry, have surmounted what appeared inseparable difficulties; and notwithstanding the artifice and address that for a long time were employed to divert their attention from the common cause, they, at length, by imperceptible degrees, succeeded, and declared their resolutions to assert their liberties, and to maintain them, at all events, in concurrence with the other associated colonies. For my part, I most candidly declare that, from the origin of these unhappy disputes, I heartily approved of the conduct of the Americans. My approbation was not the result of prejudice or partiality, but proceeded from a firm persuasion of their having acted agreeable to constitutional principles, and the dictates of an upright disinterested conscience.

We must all acknowledge our great obligations to our ancestors, for the invaluable liberties we enjoy; it is our indispensable duty to transmit them inviolate to posterity; and to be negligent, in an affair of such moment, would be an indelible stain of infamy on the present æra. Animated with this principle, I shall think myself amply rewarded, if I can be so fortunate as to render any service to the cause of freedom and posterity.

Mr. Speaker and gentlemen of the congress—

Being sensible that colony matters of great importance will claim your attention at this meeting, I will not take up too much of your time from the

public business. Some further regulations respecting the courts of justice, the state of the continental battalions, and the better ordering of the militia of this province, will necessarily be the subject of your disquisitions.

You must be convinced of the many difficulties we labor under, arising from the number that still remain among us, under the shelter of an affected neutrality. The arguments alleged for their conduct, appear too weak to merit a refutation. This is no time to talk of moderation: in the present instance it ceases to be a virtue. An appeal, an awful appeal, is made to Heaven, and thousands of lives are in jeopardy every hour. Our northern brethren point to their wounds, and call for our most vigorous exertions; and God forbid that so noble a contest should end in an infamous conclusion. You will not, therefore, be biassed by any suggestions from these enemies of American liberty, or regard any censure they may bestow on the forwardness and zeal of this infant colony.—You must evidently perceive the necessity of making some further laws respecting these non-associates; and though there may be some who appear at present forward to sign the association, yet it becomes us to keep a watchful eye on the motive and conduct of these men, lest the public good should be endangered through this perfidy and pretended friendship.

By the resolves of the general congress, the inhabitants of the united colonies are permitted to trade to any part of the world, except the dominions of the king of Great Britain; and in consequence of which, it will be necessary to fix on some mode of proceeding, for the clearance of vessels and other matters relative thereto; and perhaps you may think it further requisite, to appoint proper officers to despatch this business, that the adventurers in trade may meet with as little obstruction as possible. And I would at the same time recommend to your consideration, the exorbitant prices of goods, and other necessities of life, in the town of Savannah, and every part of the province. This certainly requires some immediate regulations, as the poor must be greatly distressed by such alarming and unheard of extortions.

With respect to Indian affairs, I hoped to have the pleasure of assuring you, from the state of the proceedings of the commissioners, that they were in every respect friendly and warmly attached to our interest, and that there was the greatest reason to expect a continuance of the same friendly

disposition; but I have received some accounts rather unfavorable. As this is of the highest consequence to the peace and welfare of the colony, I would here suggest, whether it would not be necessary to enter into some resolves, in order to prevent any future misunderstanding between them and our back settlers; and to this I think I may add, that the putting the province in the best posture of defence, would be an object very requisite at this juncture.

The continental congress have always been solicitous to promote the increase and improvement of useful knowledge, and with the highest satisfaction contemplating the rapid progress of the arts and sciences in America, have thought proper to recommend the encouraging the manufactory of salt-petre, sulphur, and gun-powder.—The process is extremely easy, and I should be very glad to see any of the good people of this province exerting themselves in the manufacture of these useful and necessary articles. If they once consider it is for the public good, they will need no other inducement.

*Mr. Speaker and gentlemen of the congress—*

Remember in all your deliberations you are engaged in a most arduous undertaking. Generations yet unborn may owe their freedom and happiness to your determination, and may bestow blessings or execrations on your memory, in such manner as you discharge the trust reposed in you by your constituents. Thoughts like these will influence you to throw aside every prejudice, and to exert your utmost efforts to preserve unanimity, firmness and impartiality in all your proceedings.

ARCHIBALD BULLOCK.

### The Bishop of St. Asaph's Speech.

*The following piece, wrote by the Rev. Dr. JONATHAN SHIPLEY, late bishop of St. Asaph, was intended to have been spoken in the house of lords on the bill for altering the charter of the colony of the Massachusetts Bay; and is now exhibited to the public for their perusal: It is the whole of the pamphlet, save an advertisement that preceded the work, which we thought needless to insert.*

*[Maryland Gazette, Sept. 29, 1774.*

It is of such great importance to compose, or even to moderate, the dissensions which subsist at present between our unhappy country and her colonies, that I cannot help endeavoring, from the faint prospect I have of contributing something to so good an end, to overcome the inexpressible reluctance I feel at uttering my thoughts before the most respectable of all audiences.

The true object of all our deliberations on this occasion, which I hope we shall never lose sight of, is a full and cordial reconciliation with North America. Now I own, my lords, I have many doubts whether the terrors and punishments we hang out to them at present are the surest means of producing this reconciliation. Let us at least do this justice to the people of North America, to own that we can all remember a time when they were much better friends than at present to their mother country. They are neither our natural nor our determined enemies. Before the stamp-act, we considered them in the light of as good subjects as the natives of any county in England.

It is worth while to enquire by what steps we first gained their affection, and preserved it so long; and by what conduct we have lately lost it. Such an enquiry may point out the means of restoring peace, and make the use of force unnecessary against a people, whom I cannot yet forbear to consider as our brethren.

It has always been a most arduous task to govern distant provinces, with even a tolerable appearance of justice. The viceroys and governors of other nations are usually temporary tyrants, who think themselves obliged to make the most of their time; who not only plunder the people, but carry away their spoils, and dry up all the sources of commerce and industry. Taxation, in their hands, is an unlimited power of oppression: but in whatever hands the power of taxation is lodged, it implies and includes all other powers. Arbitrary taxation is plunder authorised by law: it is the support and the essence of tyranny, and has done more mischief to mankind, than those other three scourges from Heaven, famine, pestilence and the sword. I need not carry your lordship out of your own knowledge, or out of your own dominions, to make you conceive what misery this right of taxation is capable of producing in a provincial government. We need only recollect that our countrymen in India have, in the space of five or six years, in virtue of this right, destroyed, starved, and driven away more inhabitants from Bengal, than are to be found at present in all our American colonies; more than all those formidable numbers which we have been nursing up for the space of two hundred years, with so much care and success, to the astonishment of all Europe. This is no exaggeration, my lords, but plain matter of fact, collected from the accounts sent over by Mr. Hastings, whose name I mention with honor and veneration. And, I must own, such accounts have very

much lessened the pleasure I used to feel in thinking myself an Englishman. We ought surely not to hold our colonies totally inexcusable for wishing to exempt themselves from a grievance, which has caused such unexampled devastation; and, my lords, it would be too disgraceful to ourselves, to try so cruel an experiment more than once. Let us reflect, that before these innovations were thought of, by following the line of good conduct which had been marked out by our ancestors, we governed North America with mutual benefit to them and ourselves. It was a happy idea, that made us first consider them rather as instruments of commerce than as objects of government. It was wise and generous to give them the form and the spirit of our own constitution; an assembly, in which a greater equality of representation has been preserved than at home, and councils and governors, such as were adapted to their situation, though they must be acknowledged to be very inferior copies of the dignity of this house, and the majesty of the crown.

But what is far more valuable than all the rest, we gave them liberty. We allowed them to use their own judgment in the management of their own interest. The idea of taxing them never entered our heads. On the contrary they have experienced our liberality on many public occasions: we have given them bounties to encourage their industry, and have demanded no return but what every state exacts from its colonies, the advantages of an exclusive commerce, and the regulations that are necessary to secure it. We made requisitions to them on great occasions, in the same manner as our princes formerly asked benevolences of their subjects; and as nothing was asked but what was visibly for the public good, it was always granted; and they some times did more than we expected. The matter of right was neither disputed, nor even considered. And let us not forget that the people of New-England were themselves, during the last war, the most forward of all in the national cause; that every year we voted them a considerable sum, in acknowledgment of their zeal and their services; that, in the preceding war, they alone enabled us to make the treaty of Aix-la-Chapelle, by furnishing us with the only equivalent for the towns that were taken from our allies in Flanders; and that, in times of peace, they alone have taken from us six times as much of our woolen manufactures as the whole kingdom of Ireland. Such a colony, my lords, not only from the justice, but from the gratitude we owe them, have a right to be heard in their defence; and it



their crimes are not of the most inexpiable kind, I could almost say, they have a right to be forgiven.

But in the times we speak of, our public intercourse was carried on with ease and satisfaction. We regarded them as our friends and fellow citizens, and relied as much upon their fidelity as on the inhabitants of our own country. They saw our power with pleasure, for they considered it only as their protection. They inherited our laws, our language, and our customs; they preferred our manufactures, and followed our fashions with a partiality that secured our exclusive trade with them more effectually than all the regulations and vigilance of the custom house. Had we suffered them to enrich us a little longer, and to grow a little richer themselves, their men of fortune, like the West-Indians, would undoubtedly have made this country the place of their education and resort. For they looked up to England with reverence and affection, as to the country of their friends and ancestors. They esteemed and they called it their home, and thought of it as the Jews once thought of the land of Canaan.

Now, my lords, consider with yourselves what were the chains and ties that united this people to their mother-country with so much warmth and affection, at so amazing a distance. The colonies of other nations have been discontented with their treatment, and not without sufficient cause; always murmuring at their grievances, and some times breaking out into acts of rebellion. Our subjects at home, with all their reasons for satisfaction, have never been entirely satisfied. Since the beginning of this century we have had two rebellions, several plots and conspiracies; and we ourselves been witnesses to the most dangerous excesses of sedition. But the provinces in North America have engaged in no party, have excited no opposition, they have been utter strangers even to the name of whig and tory. In all changes, in all revolutions, they have quietly followed the fortunes and submitted to the government of England.

Now let me appeal to your lordships as to men of enlarged and liberal minds, who have been led by your office and rank to the study of history. Can you find in the long succession of ages, in the whole extent of human affairs, a single instance where distant provinces have been preserved in so flourishing a state, and kept at the same time in such due subjection to their mother-country? My lords, there is no instance; the case never existed before. It is perhaps the most singular phenomenon in all civil history; and the cause of

it well deserves your serious consideration. The true cause is, that a mother-country never existed before, who placed her natives and her colonies on the same equal footing; and joined with them in fairly carrying on one common interest.

You ought to consider this, my lords, not as a mere historical fact, but as a most important and invaluable discovery. It enlarges our ideas of the power and energy of good government beyond all former examples; and shews that it can act like gravitation at the greatest distances. It proves to be a demonstration that you may have good subjects in the remotest corner of the earth, if you will but treat them with kindness and equity. If you have any doubts of the truth of this kind of reasoning, the experience we have had of a different kind will entirely remove them.

The good genius of our country had led us to the simple and happy method of governing free men, which I have endeavored to describe. Our ministers received it from their predecessors and for some time continued to observe it; but without knowing its value. At length, presuming on their own wisdom, and the quiet dispositions of the Americans, they flattered themselves that we might reap great advantages from their prosperity by destroying the cause of it. They chose, in an unlucky hour, to treat them as other nations have thought fit to treat their colonies; they threatened and they taxed them.

I do not now enquire whether taxation is a matter of right; I only consider it as a matter of experiment for surely the art of government itself is founded on experience. I need not suggest what were the consequences of this change of measures. The evil produced by it were such as we still remember and still feel. We suffered more by our loss of trade with them, than the wealth flowing in from India was able to recompense. The bankruptcy of the East-India company may be sufficiently accounted for by the rapine abroad and the knavery at home; but it certainly would have been delayed some years, had we continued our commerce with them in the single article of tea. But that and many other branches of trade have been diverted into other channels, and may probably never return entire to their own old course. But what is worse of all, we have lost their confidence and friendship; we have ignorantly undermined the most solid foundation of our own power.

In order to observe the strictest impartiality, it is but just for us to enquire what we have gained by these taxes as well as what we have lost. I am

assured that out of all the sums raised in America the last year but one, if the expenses are deducted, which the natives would else have discharged themselves, the net revenue paid into the treasury to go in aid of the sinking fund, or to be employed in whatever public services parliament shall think fit, is eighty-five pounds. Eighty-five pounds, my lords, is the whole equivalent we have received for all the hatred and mischief, and all the infinite losses this kingdom has suffered during that year in her disputes with North America. Money that is earned so dearly as this, ought to be expended with great wisdom and economy. My lords, were you to take up but one thousand pounds more from North America upon the same terms, the nation itself would be a bankrupt. But the most amazing and most alarming circumstances are still behind. It is that our case is so incurable, that all this experience has made no impression upon us. And yet, my lords, if you could but keep these facts, which I have ventured to lay before you, for a few moments in your minds (supposing your right of taxation to be never so clear) yet I think you must necessarily perceive that it cannot be exercised in any manner that can be advantageous to ourselves or them. We have not always the wisdom to tax ourselves with propriety; and I am confident we could never tax a people at that distance, without infinite blunders, and infinite oppression. And to own the truth, my lords, we are not honest enough to trust ourselves with the power of shifting our own burthens upon them. Allow me therefore to conclude, I think unanswerably, that the inconvenience and distress we have felt in this change of our conduct, no less than the ease and tranquility we formerly found in the pursuit of it, will force us, if we have any sense left, to return to the good old path we trode in so long, and found it the way of pleasantness.

I desire to have it understood, that I am opposing no rights legislature may think proper to claim: I am only comparing two different methods of government. By your old rational and generous administration, by treating the Americans as your friends and fellow-citizens, you made them the happiest of human kind; and, at the same time, drew from them, by commerce, more clear profit than Spain has drawn from all its mines; and their growing numbers were a daily increase and addition to your strength. There was no room for improvement or alteration in so noble a system of policy as this. It was sanctified by time, by experience, by public utility. I will venture to use a bold language my lords; I will assert, that if we had

uniformly adopted this equitable administration in all our distant provinces as far as circumstances would admit, it would have placed this country, for ages, at the head of human affairs in every quarter of the world. My lords this is no visionary, or chimerical doctrine. The idea of governing provinces and colonies by force is visionary and chimerical. The experiment has often been tried and it never has succeeded. It ends infallibly in the ruin of the one country or the other, or in the last degree of wretchedness.

If there is any truth, my lords, in what I have said, and I most firmly believe it all to be true, let me recommend to you to resume that generous and benevolent spirit in the discussion of our differences which used to be the source of our union. We certainly did wrong in taxing them: when the stamp-act was repealed, we did wrong in laying on other taxes, which tended only to keep alive a claim that was mischievous, impracticable and useless. We acted contrary to our own principles of liberty, and to the generous sentiments of our sovereign, when we desired to have their judges dependent on the crown for their stipends as well as their continuance. It was equally unwise to wish to make the governors independent of the people for their salaries. We ought to consider the governors, not as spies entrusted with the management of our interest, but as the servants of the people, recommended to them by us. Our ears ought to be open to every complaint against the governors; but we ought not to suffer the governors to complain of the people. We have taken a different method, to which no small part of our difficulties are owing. Our ears have been open to the governors and shut to the people. This must necessarily led us to countenance the jobs of interested men, under the pretence of defending the rights of the crown. But the people are certainly the best judges whether they are well governed; and the crown can have no rights inconsistent with the happiness of the people.

Now, my lords, we ought to do what I have suggested, and many things more, out of prudence and justice, to win their affection, and to do them public service.

If we have a right to govern them, let us exert it for the true ends of government. But, my lords, what we ought to do, from motives of reason and justice, is much more than is sufficient to bring them to a reasonable accommodation. For thus, as I apprehend, stands the case: They petition for the repeal of an act of parliament, which they com-

plain of as unjust and oppressive. And there is not a man amongst us, not the warmest friend of administration, who does not sincerely wish that act had never been made. In fact, they only ask for what we wish to be rid of. Under such a disposition of mind, one would imagine there could be no occasion for fleets and armies to bring men to a good understanding. But, my lords, our difficulty lies in the point of honor. We must not let down the dignity of the mother-country; but preserve her sovereignty over all the parts of the British empire. This language has something in it that sounds pleasant to the ears of Englishmen, but is otherwise of little weight. For sure, my lords, there are methods of making reasonable concessions, and yet without injuring our dignity. Ministers are generally fruitful in expedients to reconcile difficulties of this kind to escape the embarrassments of forms, the competitions of dignity and precedence; and to let clashing rights sleep, while they transact their business. Now, my lords, on this occasion can they find no excuse, no pretence, no invention, no happy turn of language, not one colorable argument for doing the greatest service they can ever render to their country? It must be something more than incapacity that makes men barren of expedients at such a season as this. Do, but for once, remove this impracticable stateliness and dignity, and treat the matter with a little common sense and a little good humour, and our reconciliation would not be the work of an hour. But after all, my lords, if there is any thing mortifying in undoing the errors of our ministers, it is a mortification we ought to submit to. If it was unjust to tax them, we ought to repeal it for their sakes; if it was unwise to tax them, we ought to repeal it for our own. A matter so trivial in itself as the three-penny duty upon tea, but which has given cause to so much national hatred and reproach, ought not to be suffered to subsist an unnecessary day. Must the interest, the commerce, and the union of this country and her colonies, be all of them sacrificed to save the credit of one imprudent measure of administration? I own I cannot comprehend that there is any dignity either in being in the wrong, or in persisting in it. I have known friendship preserved, and affection gained, but I never knew dignity lost by the candid acknowledgement of an error. And, my lords, let me appeal to your own experience of a few years backward (I would not mention particulars, because I would pass no censures and revive no unpleasant reflections) but I think every candid minister must own, that administration has

suffered in more instances than one, both in interest and credit, by not choosing to give up points that could not be defended.

With regard to the people of Boston, I am free to own that I never approve of their riots nor their punishment: And yet, if we inflict it as we ought, with a consciousness that we were ourselves the aggressors, that we gave the provocation, and that their disobedience is the fruit of our own imprudent and imperious conduct, I think the punishment cannot rise to any great degree of severity.

I own, my lords, I have read the report of the lords' committees of this house, with very different sentiments from those with which it was drawn up. It seems to be designed, that we should consider their violent measures and speeches as so many determined acts of opposition to the sovereignty of England, arising from the malignity of their own hearts. One would think the mother-country had been totally silent and passive in the progress of the whole affair. I, on the contrary, consider these violences as the natural effects of such measures as ours on the minds of freemen. And this is the most useful point of view in which government can consider them. In their situation, a wise man would expect to meet with the strongest marks of passion and imprudence, and be prepared to forgive them. The first and easiest thing to be done is to correct our own errors: and I am confident we should find it the most effectual method to correct theirs. At any rate let us put ourselves in the right; and then if we must contend with North America, we shall be unanimous at home, and the wise and moderate there will be our friends. At present we force every North American to be our enemy; and the wise and moderate at home, and those immense multitudes which must soon begin to suffer by the madness of our rulers, will unite to oppose them. It is a strange idea we have taken up, to cure their resentments by increasing their provocations; to remove the effects of our own ill conduct by multiplying the instances of it. But the spirit of blindness and infatuation is gone forth. We are hurrying wildly on without any fixed design, without any important object. We pursue a vain phantom of unlimited sovereignty which was not made for man: and reject the solid advantages of a moderate, useful, and intelligible authority. That just God, whom we have all so deeply offended, can hardly inflict a severer national punishment than by committing us to the natural consequences of our own conduct. Indeed, in my opinion, a blacker cloud never hung over this island.

To reason consistently with the principles of justice and national friendship, which I have endeavored to establish, or rather to revive what was established by our ancestors, as our wisest rule of conduct for the government of America; I must necessarily disapprove of the bill before us, for it contradicts every one of them. In our present situation every act of the legislature, even our acts of severity, ought to be so many steps towards the reconciliation we wish for. But to change the government of a people, without their consent, is the highest and most arbitrary act of sovereignty that one nation can exercise over another. The Romans hardly ever proceeded to this extremity, even over a conquered nation, till its frequent revolts and insurrections had made them deem it incorrigible. The very idea of it, implies a most abject and slavish dependency in the inferior state. Recollect that the Americans are men of like passions with ourselves, and think how deeply this treatment must affect them. They have the same veneration for their charters that we have for our Magna Charta, and they ought in reason to have greater. They are the title deeds to all their rights, both public and private. What! my lords, must these rights never acquire any legal assurance and stability? can they derive no force from the peaceable possession of near two hundred years? and must the fundamental constitution of a powerful state be, forever, subject to as capricious alterations as you think fit to make in the charters of a little mercantile company or the corporation of a borough? this will undoubtedly furnish matter for a more pernicious debate than has yet been moved. Every other colony will make the case its own.—They will complain that their rights can never be ascertained; that every thing belonging to them depends upon our arbitrary will; and may think it better to run any hazard, than to submit to the violence of their mother-country, in a matter in which they can see neither moderation nor end.

But let us coolly enquire, what is the reason of this unheard of innovation. Is it to make them peaceable? my lords, it will make them mad. Will they be better governed if we introduce this change? will they be more our friends? the least that such a measure can do, is to make them hate us. And would to God, my lords, we had governed ourselves with as much economy, integrity and prudence, as they have done. Let them continue to enjoy the liberty our fathers gave them. Gave them, did I say? they are co-heirs of liberty with ourselves; and their portion of the inheritance has been much better looked after than ours. Suffer

them to enjoy a little longer that short period of public integrity and domestic happiness, which seems to be the portion allotted by Providence to young rising states. Instead of hoping that their constitution may receive improvement from our skill in government, the most useful wish I can form in their favor, is that Heaven may long preserve them from our vices and our politics.

Let me add further—that to make any changes in their government, without their consent, would be to transgress the wisest rules of policy, and to wound our most important interests. As they increase in numbers and in riches, our comparative strength must lessen. In another age, when our power has begun to lose something of its superiority, we should be happy if we could support our authority by mutual good will and the habit of commanding; but chiefly by those original establishments, which time and public honor might have rendered inviolable. Our posterity will then have reason to lament that they cannot avail themselves of those treasures of public friendship and confidence which our fathers had wisely hoarded up, and we are throwing away. 'Tis hard, 'tis cruel, besides all our debts and taxes, and those enormous expenses which are multiplying upon us every year, to load our unhappy sons with the hatred and curse of North America. Indeed, my lords, we are treating posterity very scurvily. We have mortgaged all the lands; we have cut down all the oaks; we are now trampling down the fences, rooting up the seedlings and samplers, and ruining all the resources of another age. We shall send the next generation into the world, like the wretched heir of a worthless father, without money, credit or friends; with a striped, incumbered, and perhaps untenanted estate.

Having spoke so largely against the principle of the bill, it is hardly necessary to enter into the merits of it. I shall only observe that, even if we had the consent of the people to alter their government, it would be unwise to make such alterations as these. To give the appointment of the governor and council to the crown, and the disposal of all places, even of the judges, and with a power of removing them, to the governor, is evidently calculated with a view to form a strong party in our favor. This I know has been done in other colonies; but still this is opening a source of perpetual discord, where it is our interest always to agree. If we mean any thing by this establishment, it is to support the governor and the crown against the people, i. e. to quarrel with our li

that we may please their servants. This scheme of governing them by a party is not wisely imagined, it is much too premature, and, at all events, must turn to our disadvantage. If it fails, it will only make us contemptible; if it succeeds, it will make us odious. It is our interest to take very little part in their domestic administration of government, but purely to watch over them for their good. We never gained so much by North America as when we let them govern themselves, and were content to trade with them and to protect them. One would think, my lords, there was some statute law, prohibiting us, under the severest penalties, to profit by experience.

My lords, I have ventured to lay my thoughts before you, on the greatest national concern that ever came under your deliberation, with as much honesty as you will meet with from abler men, and with a melancholy assurance, that not a word of it will be regarded. And yet, my lords, with your permission, I will waste one short argument more on the same cause, one that I own I am fond of, and which contains in it, what, I think, must effect every generous mind. My lords, I look upon North America as the only great nursery of freemen now left upon the face of the earth. We have seen the liberties of Poland and Sweden swept away, in the course of one year, by treachery and usurpation. The free towns in Germany are like so many dying sparks, that go out one after another; and which must all be soon extinguished under the destructive greatness of their neighbors. Holland is little more than a great trading company, with luxurious manners, and an exhausted revenue; with little strength and with less spirit. Switzerland alone is free and happy within the narrow inclosure of its rocks and vallies. As for the state of this country, my lords, I can only refer myself to your own secret thoughts. I am disposed to think and hope the best of public liberty. Were I to describe her according to my own ideas at present, I should say that she has a sickly countenance, but I trust she has a long constitution.

But whatever may be our future fate, the greatest glory that attends this country, a greater than any other nation ever acquired, is to have formed and nursed up to such a state of happiness those colonies whom we are now so eager to butcher. We ought to cherish them as the immortal monuments of our public justice and wisdom; as the heirs of our better days, of our old arts and manners, and of our expiring national virtues. What work of art, or power, or public utility has ever equalled the glory

of having peopled a continent without guilt bloodshed, with a multitude of free and happy commonwealths; to have given them the best of life and government; and to have suffered them under the shelter of our authority, to acquire peace the skill to use them. In comparison of the policy of governing by influence, and even of pride of war and victory, are dishonest tricks; poor contemptible pageantry.

We seem not to be sensible of the high and important trust which Providence has committed our charge. The most precious remains of civil liberty, that the world can now boast of, are lodged in our hands; and God forbid that we should violate so sacred a deposite. By enslaving yet colonies, you not only ruin the peace, the commerce, and the fortunes of both countries, but you extinguish the fairest hopes, shut up the last asylum of mankind. I think, my lords, without being weakly superstitious, that a good man may hope that Heaven will take part against the execution of a plan which seems big not only with mischief but impiety.

Let us be content with the spoils and the destruction of the east. If your lordships can see no impropriety in it, let the plunderer and oppressor still go free. But let not the love of liberty be the only crime you think worthy of punishment; fear we shall soon make it a part of our national character, to ruin every thing that has the misfortune to depend upon us.

No nation has ever before contrived, in so short a space of time, without any war or public calamity (unless unwise measures may be so called) to destroy such ample resources of commerce, wealth and power, as of late were ours, and which, if they had been rightly improved, might have raised to a state of more honorable and more permanent greatness than the world has yet seen.

Let me remind the noble lords in administration that before the stamp-act, they had power sufficient to answer all the just ends of government, and they were all completely answered. If that is the power they want, though we have lost much of it at present, a few kind words would recover it all.

But if the tendency of this bill is, as I own it appears to me, to acquire a power of governing them by influence and corruption, in the first place, my lords this is not true government, but a sophisticated kind, which counterfeits the appearance, but without the spirit or virtue of the true: and then, as it tends to debase their spirits and corrupt their man-

ners, to destroy all that is great and respectable in so considerable a part of the human species, and by degrees to gather them together with the rest of the world, under the yoke of universal slavery—I think, for these reasons, it is the duty of every wise man, of every honest man, and of every Englishman, by all lawful means, to oppose it.

Annapolis, June 29, 1769.

*Several of the counties having before entered into resolutions of non-importation of British superfluities, and the province, in general, being invited by the people of Anne Arundel county, to request some gentlemen from each county, to meet at this place, on the 20th instant, in order that a general resolution of non-importation might be formed—There was accordingly a very full meeting, at which the following resolutions were entered into; and it was agreed, that twelve copies should be printed and transmitted to each county, to be signed by the people, which, it is expected, will be done with great readiness throughout the province.*

We, the subscribers, his majesty's loyal and dutiful subjects, the merchants, traders, freeholders, mechanics, and other inhabitants of the province of Maryland, seriously considering the present state and condition of the province, and being sensible that there is a necessity to agree upon such measures, as may tend to discourage, and as much as may be, prevent the use of foreign luxuries and superfluities, in the consumption of which we have heretofore too much indulged ourselves, to the great detriment of our private fortunes, and, in some instances, to the ruin of our families; and, to this end, to practice ourselves, and as much as possible, to promote, countenance, and encourage in others, a habit of temperance, frugality, economy, and industry, and considering also, that measures of this nature are more particularly necessary at this time, as the parliament of Great Britain, by imposing taxes upon many articles imported hither from thence, and from other parts beyond sea, has left it less in our power, than in time past, to purchase and pay for the manufactures of the mother-country; which taxes, especially those imposed by a late act of parliament, laying duties on tea, paper, glass, &c. we are clearly convinced have been imposed contrary to the spirit of our constitution, and have a direct and manifest tendency to deprive us, in the end, of all political freedom, and reduce us to a state of dependence, inconsistent with that liberty we have rightfully enjoyed under the government of his present most sacred majesty, (to

whom we owe, acknowledge, and will always joyfully pay all due obedience and allegiance) and of his royal predecessors, ever since the first settlement of the province, until of very late time—have thought it necessary to unite, as nearly as our circumstances will admit, with our sister colonies, in resolutions for the purpose aforesaid; and, therefore, do hereby agree, and bind ourselves, to and with each other, by all the ties and obligations of honor and reputation, that we will strictly and faithfully observe, and conform to the following resolutions:

FIRST, That we will not, at any time hereafter, directly or indirectly, import, or cause to be imported, any manner of goods, merchandize, or manufactures, which are, or shall hereafter be, taxed by act of parliament, for the purpose of raising a revenue in America, (except paper not exceeding six shillings per ream, and except such articles only as orders have been already sent for) but, that we will always consider such taxation, in every respect, as an absolute prohibition to the articles that are, or may be taxed.

SECONDLY, That we will not hereafter, directly or indirectly, during the continuance of the aforesaid act of parliament, import, or cause to be imported, from Great Britain, or any other part of Europe, (except such articles of the produce or manufacture of Ireland, as may be immediately and legally brought from thence, and also, except all such goods as orders have been already sent for) any of the goods herein after enumerated, to wit, horses, spirits, wine, cyder, perry, beer, ale, malt, barley, peas, beef, pork, fish, butter, cheese, tallow, candles, oil, *except Salad-oil*, fruit, pickles, confectionary, British refined sugar, mustard, coffee, pewter, tin-ware of all kinds, whether plain or painted, waiters, and all kind of japan-ware, wrought copper, wrought and cast brass, and bell-metal, watches, clocks, plate, and all other gold and silversmiths' work, trinkets, and jewellery of all kinds, gold and silver lace, joiners' and cabinet work of all sorts, looking-glasses, upholstery of all kinds, carriages of all kinds, ribbons and millinery of all kinds, *except wig-ribbon*, lace, cambrick, lawn, muslin, kenting, gauze of all kinds, *except Boultin-cloths*, silks of all kinds, *except raw and sewing silk*, and *wig cards*, velvets, chintzes, and calicoes of all sorts, of more than twenty pence per yard, East-India goods of every kind, *except salt-petre, black pepper, and spices*, printed linens, and printed cottons, striped linens, and cottons, check linens, and cotton checks of all kinds.

handkerchiefs of all kinds, at more than ten shillings per dozen; cotton velvets, and all kind of cotton, or cotton and linen stuffs, bed-bunts, and bed-ticking of all sorts, cotton counterpanes and coverlids, British manufactured linens of all kinds, *except nail-cloth*, Irish and all foreign linens, above one shilling and six pence per yard; woolen cloth, above five quarters wide, of more than five shillings per yard; narrow cloths of all sorts, of more than three shillings per yard; worsted stuffs of all sorts, above thirteen pence per yard; silk and worsted, silk and cotton, silk and hair; and hair and worsted stuffs of all kinds, worsted and hair shags, mourning of all and every kind, stockings, caps, waistcoat and breeches patterns of all kinds, rugs of all sorts, above eight shillings; blankets, above five shillings, per blanket; mens and womens ready made clothes, and wearing apparel of all kinds, hats of all kinds, of more than two shillings per hat; wigs, gloves, and mits of all kinds, stays and bodices of all sorts, boots, saddles, and all manufactures of leather, and skins of all kinds, *except mens and womens shoes, of not more than four shillings per pair*, whips, brushes, and brooms of all sorts, gilt, and hair trunks, paintings, carpets of all sorts, snuff-boxes, snuff, and other manufactured tobacco, soap, starch, playing cards, dice, English china, English ware, in imitation of China, delft and stone ware, of all sorts, *except milk-pans*, stone bottles, jugs, pitchers, and chamber pots, marble and wrought stone of any kind, *except scythe-stones*; mill-stones, and grind-stones, iron castings, ironmongery of all sorts, *except nails*; hoes, steel, handicraft and manufacturers tools, locks, frying-pans, scythes and sickles, cutlery of all sorts, *except knives and forks*, not exceeding three shillings per dozen; knives, scissors, sheep shears, needles, pins and thimbles, razors, chirurgical instruments and spectacles, cordage, or tarred rope of all sorts, seins, ships colors ready made, ivory, horn, and bone ware of all sorts, *except combs*.

**THIRDLY**, That we will not, during the time aforesaid, import any wines, of any kind whatever, or purchase the same from any person whatever, except such wines as are already imported, or for which orders are already sent.

**FOURTHLY**, That we will not kill or suffer to be killed, or sell, or dispose to any person, whom we have reason to believe intends to kill, any ewe-lamb that shall be yeaned before the first day of May in any year, during the time aforesaid.

**FIFTHLY**, That we will not, directly or indirectly, during the time aforesaid, purchase, take up, or

receive, on any terms, or conditions whatever, of the goods enumerated in the second resolution that shall, or may be imported into this province contrary to the intent and design of these resolutions, by any person whatever, or consigned to factor, agent, manager, or storekeeper here, any person residing in Great Britain, or elsewhere, and if any such goods shall be imported, we will not, upon any consideration whatever, rent or otherwise, to, or permit any way to be made use of by such importer, his agent, factor, manager, or storekeeper, or any person, on his, or their behalf, store-house, or other house, or any kind of place whatever, belonging to us, respectively, for exposing to sale, or even securing any such goods, will we suffer any such to be put on shore on respective properties.

**SIXTHLY**, That if any person shall import, endeavor to import, from Great Britain or part of Europe, any goods whatever, contrary to the spirit and design of the foregoing resolution, or shall sell any goods which he has now, or hereafter have on hand, or may import, on other terms than are herein expressed, we will, at any time hereafter, deal with any such person, his agent, manager, factor, or storekeeper, for commodity whatever; and that such of us as are or may be sellers of goods, will not take any advantage of the scarcity of goods, that this agreement may occasion, but will sell such as we have now on hand, or may hereafter import, or have on sale, at the respective usual and accustomed price for three years last past.

**SEVENTHLY**, That we will not, during the time aforesaid, import into this province, any of goods above enumerated for non-importation in the second resolution, which have been, or shall be imported from Great Britain, or some part of Europe, from any colony, or province, which hath entered, or shall not, within two months from date hereof, enter into resolutions of non-importation, nor will we purchase, take up, or receive any terms, or conditions whatever, any such goods from any person or persons, that may import the same; nor will we purchase, take up, or receive any terms, or conditions, any of the said goods which may be imported from any province, or colony, which has entered, or may enter into resolutions, unless a certificate shall accompany such goods, under the hands of a committee of merchants (if any) of the place from whence the goods shall come or if no such committee, under the hands of at least three of the principal merchants there, who have entered into resolutions

of non-importation, that such goods were imported before such resolution was entered into in such place. And that we will not purchase, take up, or receive, on any terms, or conditions whatever, after the expiration of six months, from the date thereof, from any colony, or province aforesaid, any of the said enumerated articles, which have been, or shall be imported from Great Britain.

EIGHTHLY, We, the tradesmen and manufacturers, do likewise promise, and agree, that we will not avail ourselves of the scarcity of European goods, proceeding from the resolutions for non-importation, to raise or enhance the prices of the different articles, or commodities, by us wrought up, or manufactured; but that we will sell and dispose of the same, at the usual and accustomed rates we have done for these three years past.

LASTLY, That, if any person, or persons, whatever, shall oppose, or contravene the above resolutions, or act in opposition to the true spirit and design thereof, we will consider him, or them, as enemies to the liberties of America, and treat them, on all occasions, with the contempt they deserve; provided that these resolutions shall be binding on us, for and during the continuance of the before mentioned act of parliament, unless a general meeting of such persons at Annapolis, as may, at any time hereafter, be requested by the people of the several counties in this province to meet, for the purpose of considering the expediency of dispensing with the said resolutions, or any of them, not exceeding four from each county, or a majority of such of them as shall attend, shall determine otherwise.

At a meeting of the merchants, and others, inhabitants of Baltimore county, associators for non-importation of European goods, held at Mr. Little's, November 14, 1769,

JOHN SMITH, chairman—

The committee of enquiry having reported, that William Moore, jun. had imported a cargo of goods in the *Lord Cambden*, captain John Johnston, from London, of the value of £900 sterling, which they were in doubt were not within the terms of the association. The following question was put, whether William Moore, jun. has imported the said cargo within the terms mentioned in the agreement of the 30th of March last, to which he was a signer? Upon which question, the gentlemen present were unanimously of opinion, that the said cargo was imported contrary to that agreement: Of which determination William Moore being informed, he alleged, as a justification of his conduct, that at the time he signed the agreement, he objected to

Mr. John Merryman, who then had the carriage thereof, (and who is now absent in London) that he would not sign, unless he had liberty to send off his orders for fall goods, and to import the same: That some few days afterwards Mr. Merryman informed him, that the merchants of the town would give leave to send off the orders, and receive the fall goods; and that, in consequence of this information, he signed the agreement, without any such condition, written or expressed, in the same opposite to his name. After which the question was put, whether Mr. Moore should have liberty to land and vend his whole cargo? Which was determined in the affirmative.

For the AFFIRMATIVE.

Thomas Ewing,	H. D. Gough,
Alexander M'Machen,	Jonathan Plowman,
Benjamin Rogers,	Richard Moale,
Jonathan Hudson,	Archibald Buchanan,
Murdock Kennedy,	Hercules Courtenay,
Henry Brown,	John Macnabb,
William Hammond,	Charles Rogers,
Andrew Buchanan,	John A. Smith,
John Deaver,	Thomas Place.

For the NEGATIVE.

John Moale,	John Smith,
Henry Thompson,	William Smith,
William Lux, R. R.	Alexander Lawson,
Robert Christie,	Ebenezer Mackie,
Robert Alexander,	William Lux.

The committee of enquiry having also reported that Benjamin Howard had imported a cargo of goods, of the value of £1700 sterling, in the *Lord Cambden*, captain John Johnston, from London, which they were in doubt were not within the terms of the association of 30th March. Upon which the following question was put, whether Benjamin Howard be permitted to land and vend the said cargo, he having alleged that he never signed the association of the 30th March, being then an inhabitant of Anne-Arundel county, and that he apprehended he was entitled to import within the terms of the general association of the 22d June, to which he was a subscriber, his orders for the said cargo having been transmitted the 1st of May. Resolved in the affirmative.

For the AFFIRMATIVE.

Thomas Ewing,	H. D. Gough,
Alexander M'Machen,	Jonathan Plowman,
Benjamin Rogers,	Richard Moale,
Jonathan Hudson,	Archibald Buchanan,
Thomas Place,	Murdock Kennedy,
Henry Thompson,	John Moale,
Henry Brown,	John Macnabb,
William Haminand,	Charles Rogers,
Andrew Buchanan,	John A. Smith,
John Deaver,	Hercules Courtenay.

For the NEGATIVE.

John Smith,	Ebenezer Mackie,
Robert Christie,	Alexander Lawson,
William Smith,	William Lux.



PHILADELPHIA, January 3, 1774.

The unanimity, spirit and zeal, which have heretofore animated all the colonies, from Boston to South Carolina, have been so eminently displayed in the opposition to the pernicious project of the East India company, in sending tea to America, while it remains subject to a duty, and the Americans at the same time confined by the strongest prohibitory laws to import it only from Great Britain, that a particular account of the transactions of this city cannot but be acceptable to all our readers, and every other friend of American liberty.

Upon the first advice of this measure, a general dissatisfaction was expressed, that, at a time when we were struggling with this oppressive act, and an agreement subsisting not to import tea while subject to the duty, our fellow subjects in England should form a measure so directly tending to enforce that act, and again embroil us with our parent state. When it was also considered, that the proposed mode of disposing of the tea, tended to a monopoly, ever odious in a free country, a universal disapprobation shewed itself throughout the city. A public meeting of the inhabitants was held at the state house on the 18th October, at which great numbers attended, and the sense of the city was expressed in the following resolves—

1. That the disposal of their own property is the inherent rights of freemen; that there can be no property in that which another can, of right, take from us without our consent; that the claim of parliament to tax America is, in other words, a claim of right to levy contributions on us at pleasure.

2. That the duty imposed by parliament upon tea landed in America, is a tax on the Americans, or levying contributions on them without their consent.

3. That the express purpose for which the tax is levied on the Americans, namely, for the support of government, administration of justice, and defence of his majesty's dominions in America, has a direct tendency to render assemblies useless, and to introduce arbitrary government and slavery.

4. That a virtuous and steady opposition to this ministerial plan of governing America, is absolutely necessary to preserve even the shadow of liberty, and is a duty which every freeman in America owes to his country, to himself and to his posterity.

5. That the resolution lately entered into by the East-India company to send out their tea to Ame-

rica, subject to the payment of duties on its being landed here, is an open attempt to enforce this ministerial plan, and a violent attack upon the liberties of America.

6. That it is the duty of every American to oppose this attempt.

7. That whoever shall, directly or indirectly, countenance this attempt, or in any wise aid or abet in unloading, receiving, or vending the tea sent, or to be sent out by the East-India company, while it remains subject to the payment of a duty here, is an enemy to his country.

8. That a committee be immediately chosen to wait on those gentlemen who, it is reported, are appointed by the East-India company to receive and sell the said tea, and request them, from regard to their own character, and the peace and good order of the city and province, immediately to resign their appointment.

In consequence of this appointment, the committee waited upon the gentlemen in this city, who had been appointed consignees of the expected cargo. They represented to them the detestation and abhorrence in which this measure was held by their fellow-citizens, the danger and difficulties which must attend the execution of so odious a trust, and expressed the united desire of the city, that they would renounce the commission, and engage not to intermeddle with the ship or cargo in any shape whatever.—Some of the commissioners resigned, in a manner that gave general satisfaction, others, in such equivocal terms as required further explanation. However in a few days the resignation was complete.—In this situation things remained for a few days. In the mean time, the general spirit and indignation rose to such a height, that it was thought proper to call another general meeting of the principal citizens to consider and resolve upon such farther steps as might give weight, and insure success to the unanimous opposition now formed. Accordingly a meeting was held, for the above purpose, at which a great number of respectable inhabitants attended; and it appeared to be the unanimous opinion that the entry of the ship at the custom-house, or the landing any part of her cargo, would be attended with great danger and difficulty, and would directly tend to destroy that peace and good order which ought to be preserved.—An addition of twelve other gentlemen was then made to the former committee, and the general meeting adjourned till the arrival of the tea ship. Information being given of that, the price of tea was suddenly advanced, though it was

owing to a general scarcity of that article; yet all the possessors of tea, in order to give strength to the opposition, readily agreed to reduce the price, and sell what remained in their hands at a reasonable rate. Nothing now remained, but to keep up a proper correspondence and connection with the other colonies, and to take all prudent and proper precautions on the arrival of the tea ship.

It is not easy to describe the anxiety and suspense of the city in this interval. Sundry reports of her arrival were received, which proved premature.— But on Saturday evening the 25th ult. an express came up from Chester, to inform the town, that the tea ship, commanded by captain Ayres, with her detested cargo, was arrived there, having followed another ship up the river so far.

The committee met early the next morning, and being apprized of the arrival of Mr. Gilbert Barclay, the other consignee, who came passenger in the ship, they immediately went in a body to request his renunciation of the commission. Mr. Barclay politely attended the committee, at the first request; and being made acquainted with the sentiments of the city, and the danger to which the public liberties of America were exposed by this measure, he, after expressing the particular hardship of his situation, also resigned the commission, in a manner which affected every one present.

The committee then appointed three of their members to go to Chester, and two others to Gloucester point, in order to have the earliest opportunity of meeting capt. Ayres, and representing to him the sense of the public, respecting his voyage and cargo. The gentlemen who had set out for Chester, receiving intelligence that the vessel had weighed anchor about 12 o'clock, and proceeded to town, returned. About 2 o'clock she appeared in sight of Gloucester point, where a number of inhabitants from the town had assembled with the gentlemen from the committee. As she passed along, she was hailed, and the captain requested not to proceed further, but to come on shore. This the captain complied with, and was handed through a lane made by the people, to the gentlemen appointed to confer with him. They represented to him the general sentiments, together with the danger and difficulties that would attend his refusal to comply with the wishes of the inhabitants; and finally desired him to proceed with them to town, where he would be more fully informed of the temper and resolution of the people. He was accordingly accompanied to town by

a number of persons, where he was soon convinced of the truth and propriety of the representations which had been made to him—and agreed that, upon the desire of the inhabitants being publicly expressed, he would conduct himself accordingly. Some small rudeness being offered to the captain afterwards in the street, by some boys, several gentlemen interposed, and suppressed it before he received the least injury. Upon an hour's notice on Monday morning, a public meeting was called, and the state-house not being sufficient to hold the numbers assembled, they adjourned into the square. This meeting is allowed by all to be the most respectable, both in the numbers and rank of those who attended it, that has been known in this city. After a short introduction, the following resolutions were not only agreed to, but the public approbation testified in the warmest manner.

1. Resolved, That the tea, on board the ship Polly, captain Ayres, shall not be landed.
2. That captain Ayres shall neither enter nor report his vessel at the custom-house.
3. That captain Ayres shall carry back the tea immediately.
4. That captain Ayres shall immediately send a pilot on board his vessel, with orders to take charge of her, and proceed to Reedy-island next high water.
5. That the captain shall be allowed to stay in town till to-morrow, to provide necessaries for his voyage.
6. That he shall then be obliged to leave the town and proceed to his vessel, and make the best of his way out of our river and bay.
7. That a committee of four gentlemen be appointed to see these resolves carried into execution.

The assembly were then informed of the spirit and resolution of New-York, Charleston, South Carolina, and the conduct of the people of Boston, whereupon it was unanimously resolved—

That this assembly highly approve of the conduct and spirit of the people of New-York Charleston, and Boston, and return their hearty thanks to the people of Boston for their resolution in destroying the tea, rather than suffering it to be landed.

The whole business was conducted with a decorum and order worthy the importance of the

cause. Captain Ayres being present at this meeting, solemnly and publicly engaged, that he would literally comply with the sense of the city, as expressed in the above resolutions.

A proper supply of necessaries and fresh provisions being then procured, in about two hours the tea ship weighed anchor from Gloucester-point, where she lay within sight of the town, and has proceeded, with her whole cargo, on her return to the East-India company.

The public think the conduct of those gentlemen, whose goods are returned on board the tea ship, ought not to pass unnoticed, as they have, upon this occasion, generously sacrificed their private interest to the public good.

Thus this important affair, in which there has been so glorious an exertion of public virtue and spirit, has been brought to a happy issue; by which the force of a law so obstinately persisted in, to the prejudice of the national commerce, for the sake of the principle on which it is founded, (a right of taxing the Americans without their consent) has been effectually broken—and the foundations of American liberty more deeply laid than ever.

ANNAPOLIS, June 9, 1774.

At a meeting of a considerable number of the magistrates, and other the most respectable inhabitants of Queen-Anne's county, at Queen's town, on the thirtieth day of May, 1774, in order to deliberate upon the tendency and effect of the act of parliament for blocking up the port and harbor of Boston.

Duly considering and deeply affected with the prospect of the unhappy situation of Great Britain and British America, under any kind of disunion, this meeting think themselves obliged, by all the ties which ever ought to preserve a firm union amongst Americans, as speedily as possible to make known their sentiments to their distressed brethren of Boston; and therefore publish to the world,

That they look upon the cause of Boston in its consequences to be the common cause of America.

That the act of parliament for blocking up the port and harbor of Boston, appears to them a cruel and oppressive invasion of their natural rights, as men, and constitutional rights as English subjects, and if not repealed, will be a foundation for the utter destruction of American freedom.

That all legal and constitutional means ought to be used by all America, for procuring a repeal of the said act of parliament.

That the only effectual means of obtaining such a repeal, they are at present of opinion, is an association, under the strongest ties, for breaking off all commercial connections with Great Britain, until the said act of parliament be repealed, and the right assumed by parliament for taxing America, in all cases whatsoever, be given up, and American freedom ascertained and settled upon a permanent constitutional foundation.

That the most practicable mode of forming such an effectual association, they conceive to be a general meeting of the gentlemen, who are already or shall be appointed committees, to form an American intercourse and correspondence upon this most interesting occasion.

That in the mean time they will form such particular associations as to them shall seem effectual, yet professing themselves ready to join in any reasonable general one that may be devised as aforesaid.

That these sentiments be immediately forwarded to be printed in the Maryland and Pennsylvania Gazettes.

That Edward Tilghman, Solomon Wright, Turbut Wright, John Browne, Richard Tilghman Farle, James Hollyday, Thomas Wright, William Hemsley, Adam Gray, Clement Sewell, Richard Tilghman, James Kent, John Kerr, James Bordley, and William Bruff, be a committee of correspondence and intercourse, until some alteration is made in this appointment by a more general meeting.

Attested by—

JAMES EARLE, clk. com.

At a general meeting of the freeholders, gentlemen, merchants, tradesmen, and other inhabitants of Baltimore county, held at the court house of the said county, on Tuesday the 31st of May, 1774,

Captain CHARLES RIDGELY, chairman—

I. *Resolved*, That it is the opinion of this meeting, that the town of Boston is now suffering in the common cause of America, and that it is the duty of every colony in America to unite in the most effectual means to obtain a repeal of the late act of parliament for blocking up the harbor of Boston.—Distintient three.

II. That it is the opinion of this meeting, that if the colonies come into a joint resolution to stop importations from, and exportations to Great Britain and the West-Indies, until the act for blocking up the harbor of Boston be repealed, the same may be the means of preserving North America in her liberties.—Dissentient three.

III. That therefore the inhabitants of this county will join in an association with the several counties in this province and the principal colonies in America, to put a stop to exports to Great Britain and the West-Indies, after the first day of October next, or such other day as may be agreed on, and to put a stop to the imports from Great Britain after the first day of December next, or such other day as may be agreed upon, until the said act shall be repealed, and that such association shall be upon oath.—Dissentient nine.

IV. Unanimously.—That it is the opinion of this meeting, that as the most effectual means of uniting all parts of this province in such association, as proposed, a general congress of deputies from each county be held at Annapolis, at such time as may be agreed upon; and that, if agreeable to the sense of our sister colonies, delegates shall be appointed from this province to attend a general congress of delegates from the other colonies, at such time and place as shall be agreed on, in order to settle and establish a general plan of conduct for the important purposes aforementioned.

V. Unanimously.—That the inhabitants of this county will, and it is the opinion of this meeting, that this province ought to break off all trade and dealings with that colony, province or town, which shall decline or refuse to come into similar resolutions with a majority of the colonies.

VI. That capt. Charles Ridgely, Charles Ridgely, John of John, Walter Tolley, jun. Thomas Cockey, Jr., William Lux, Robert Alexander, Samuel Purman, jun. John Moale, Andrew Buchanan, and George Risteau, be a committee to attend a general meeting at Annapolis. And that the same gentlemen, together with John Smith, Thomas Harrison, William Buchanan, Benjamin Nicholson, Thomas Sollars, William Smith, James Gittings, Richard Moale, Jonathan Plowman, and William Spear, be a committee of correspondence to receive and answer all letters, and on any emergency, to call a general meeting, and that any six of the number have power to act.

VII. That a copy of the proceedings be transmitted to the several counties of this province,

directed to their committee of correspondence, and be also published in the Maryland Gazette, to evince to all the world the sense they entertain of the invasion of their constitutional rights and liberties.

VII. That the chairman be desired to return the thanks of this meeting to the gentlemen of the committee of correspondence from Annapolis, for their polite personal attendance in consequence of an invitation by the committee of correspondence for Baltimore-town.

Signed per order,

WILLIAM LUX, clerk.

At a meeting of a very considerable and respectable body of the inhabitants of Anne-Arundel county, inclusive of those of the city of Annapolis, on Saturday the 4th day of June, 1774, Mr. Brice Thomas Beale Worthington, moderator.

I. *Resolved*, unanimously, That it is the opinion of this meeting, that the town of Boston is now suffering in the common cause of America, and that it is incumbent on every colony in America to unite in effectual means to obtain a repeal of the late act of parliament for blocking up the harbor of Boston.

II. *Resolved*, That it is the opinion of this meeting, that if the colonies come into a joint resolution to stop all importations from, and exportations to Great Britain, and the West-Indies, till the said act be repealed, the same will be the most effectual means to obtain a repeal of the said act, and preserve North America and her liberties.

III. *Resolved* therefore, unanimously, That the inhabitants of this county will join in an association with the several counties in this province, and the principal colonies in America, to put a stop to exports to Great Britain, and the West-Indies, after the 9th day of October next, or such other day as may be agreed on, and to put a stop to the imports of goods, not already ordered, and of those ordered that shall not be shipped from Great Britain by the 20th day of July next, or such other day as may be agreed on, until the said act shall be repealed, and that such association be on oath.

IV. *Resolved*, That as remittances can be made only from exports, after stopping the exports to Great Britain and the West-Indies, it will be impossible for very many of the people of this province who are possessed of valuable property, immediately to pay off their debts, and therefore it is the opinion of this meeting, the gentlemen of

the law ought to bring no suit for the recovery of any debt, due from any inhabitants of this province, to any inhabitant of Great Britain, until that said act be repealed; and further, that they ought not to bring suit for the recovery of any debt, due to any inhabitant of this province, except in such cases where the debtor is guilty of a wilful delay in payment, having ability to pay, or is about to abscond or remove his effects, or is wasting his substance, or shall refuse to settle his account.

V. *Resolved*, That it is the opinion of this meeting, that a congress of deputies from the several counties, to be held at Annapolis as soon as conveniently may be, will be the most speedy and effectual means of uniting all the parts of this province in such association as proposed; and that, if agreeable to the sense of our sister colonies, delegates ought to be appointed from this province to attend a general congress of deputies from the other colonies, at such time and place as may be agreed on, to effect unity in a wise and prudent plan for the forementioned purpose.

VI. *Resolved*, unanimously, That the inhabitants of this county will, and it is the opinion of this meeting, that the province ought to break off all trade and dealings with that colony, province, or town, which shall decline or refuse to come into similar resolutions with a majority of the colonies.

VII. *Resolved*, That Brice Thomas Beale Worthington, Charles Carroll, barrister, John Hall, William Paca, Samuel Chase, Thomas Johnson, jun. Matthias Hammond, Thomas Sprigg, Samuel Chew, John Weems, Thomas Dorsey, Rezin Hammond, John Hood, jun. be a committee to attend a general meeting at Annapolis, and of correspondence, to receive and answer all letters, and on any emergency to call a general meeting, and that any six of the number have power to act.

*Ordered*, That a copy of these resolves be transmitted to the committees of the several counties of this province, and be also published in the Maryland Gazette.

By order, JOHN DUCKETT clk. com.

New-York, July 7, 1774.

On Monday evening the committee met, and nominated five gentlemen as delegates at the grand congress on the first of next September, who are to be proposed to the citizens summoned to assemble this day at 12 o'clock, at the city hall, for their approbation; or to make such alterations as may be agreed upon.

At a numerous meeting of the inhabitants of the city of New-York, convened in the fields, by public advertisement, on Wednesday the 6th of July, 1774,

Mr. ALEXANDER M'DONNELL, chairman—

The business of the meeting being fully explained by the chairman, and the dangerous tendency of the numerous and vile arts used by the enemies of America, to divide and distract her councils, as well as the misrepresentations of the virtuous intentions of the citizens of this metropolis, in this interesting and alarming state of the liberties of America, the following resolutions were twice read, and the question being separately put on each of them, they were passed without one dissentient.

1st. *Resolved, nem. con.* That the statute commonly called the Boston port act, is oppressive to the inhabitants of that town, unconstitutional in its principles, and dangerous to the liberties of British America; and that, therefore, we consider our brethren at Boston, as now suffering in the common cause of these colonies.

2d. *Resolved, nem. con.* That any attack or attempt to abridge the liberties, or invade the constitution of any of our sister colonies, is immediately an attack upon the liberties and constitution of all the British colonies.

3d. *Resolved, nem. con.* That the shutting up of any of the ports in America, with intent to exact from Americans, a submission to parliamentary taxations, or extort a reparation of private injuries, is highly unconstitutional, and subversive of the commercial rights of the inhabitants of this continent.

4th. *Resolved, nem. con.* That it is the opinion of this meeting, that if the principal colonies on this continent, shall come into a joint resolution, to stop all importation from, and exportation to Great Britain, till the act of parliament for blocking up the harbor of Boston be repealed, the same will prove the salvation of North America and her liberties, and that, on the other hand, if they continue their exports and imports, there is great reason to fear that fraud, power, and the most odious oppression, will rise triumphant over right, justice, social happiness, and freedom:—Therefore,

5th. *Resolved, nem. con.* That the deputies who shall represent this colony in the congress of American deputies, to be held at Philadelphia, about the first of September next, are hereby instructed, empowered, and directed to engage with a ma-

majority of the principal colonies, to agree, for this city, upon a non-importation from Great Britain, of all goods, wares and merchandizes, until the act for blocking up the harbor of Boston be repealed, and American grievances be redressed; and also to agree to all such other measures as the congress shall, in their wisdom, judge advansive of these great objects, and a general security of the rights and privileges of America.

6th. *Resolved, nem. con.* That this meeting will abide by, obey, and observe all such resolutions, determinations, and measures, which the congress aforesaid shall come into, and direct or recommend to be done, for obtaining and securing the important ends mentioned in the foregoing resolutions. And that an engagement to this effect be immediately entered into and sent to the congress, to evince to them, our readiness and determination to co-operate with our sister colonies, for the relief of our distressed brethren of Boston, as well as for the security of our common rights and privileges.

7th. *Resolved, nem. con.* That it is the opinion of this meeting, that it would be proper for every county in the colony, without delay, to send two deputies, chosen by the people, or from the committee, chosen by them in each county, to hold, in conjunction with deputies for this city and county, a convention for the colony (on a day to be appointed) in order to elect a proper number of deputies, to represent the colony in the general congress: but that, if the counties shall conceive this mode impracticable, or inexpedient, they be requested to give their approbation to the deputies who shall be chosen for this city and county, to represent the colony in congress.

8th. *Resolved, nem. con.* That a subscription should immediately be set on foot, for the relief of such poor inhabitants of Boston as are, or may be deprived of the means of subsistence, by the operation of the act of parliament for stopping up the port of Boston. The money which shall arise from such subscription, to be laid out as the city committee of correspondence shall think will best answer the end proposed.

9th. *Resolved, nem. con.* That the city committee of correspondence be, and they are hereby instructed to use their utmost endeavors to carry these resolutions into execution.

*Ordered,* That these resolutions be printed in the public newspapers of this city, and transmitted

to the different counties in this colony, and to the committees of correspondence, for the neighboring colonies.

PHILADELPHIA, July 23, 1774.

*The committee chosen by the several counties in Pennsylvania, having brought in a draught of instructions, the same were debated and amended, and being agreed to, were ordered to be signed by the chairman. The committee in a body then waited on the assembly, and presented the same.*

GENTLEMEN.—The dissensions between Great Britain and her colonies on this continent, commencing about ten years ago, since continually increasing, and at length grown to such an excess as to involve the latter in deep distress and danger, have excited the good people of this province to take into their serious consideration the present situation of public affairs.

The inhabitants of the several counties qualified to vote at elections, being assembled on due notice, have appointed us their deputies; and in consequence thereof, we being in provincial committee met, esteem it our indispensable duty, in pursuance of the trust reposed in us, to give you such instructions as, at this important period, appear to us to be proper.

We, speaking in their names and our own, acknowledge ourselves liege subjects of his majesty king George the third, to whom "we will be faithful and bear true allegiance."

Our judgments and affections attach us, with inviolable loyalty, to his majesty's person, family and government.

We acknowledge the prerogatives of the sovereign, among which are included the great powers of making peace and war, treaties, leagues and alliances *binding us*—of appointing all officers, except in cases where other provision is made, by grants from the crown, or laws approved by the crown—of confirming or annulling every act of our assembly within the allowed time—and of hearing and determining finally, in council, appeals from our courts of justice. "The prerogatives are limited,"\* as a learned judge observes, "by bounds so certain and notorious, that it is impossible to exceed them, without the consent of the people on the one hand, or without, on the other, a violation of that original contract, which, in all states impliedly, and in ours most expressly, subsists between the prince and subject.—For these

\*Blackstone, 237.

prerogatives are vested in the crown *for the support of society*, and do not intrench any further on our natural liberties, than is expedient for the maintenance of our civil."

But it is our misfortune, that we are compelled loudly to call your attention to the consideration of another power, totally different in kind, limited, as it is alleged, by no "bounds," and "wearing a most dreadful aspect" with regard to America. We mean the power claimed by parliament, of right, to bind the people of these colonies by statutes, "*IN ALL CASES WHATSOEVER*."—A power, as we are not, and, from local circumstances, cannot be represented there, utterly subversive of our natural and civil liberties—past events and reason convincing us, that there never existed, and never can exist, a state *thus* subordinate to another, and yet retaining the slightest portion of freedom or happiness.

The import of the words above quoted needs no descant; for the wit of man, as we apprehend, cannot possibly form a more clear, concise, and comprehensive definition and sentence of slavery, than these expressions contain.

This power, claimed by Great Britain, and the late attempts to exercise it over these colonies, present to our view two events, one of which must inevitably take place, if she shall continue to insist on her pretensions. Either, the colonists will sink from the rank of freemen into the class of slaves, overwhelmed with all the miseries and vices, proved by the history of mankind to be inseparably annexed to that deplorable condition—or, if they have sense and virtue enough to exert themselves in striving to avoid this perdition, they must be involved in an opposition, dreadful even in contemplation.

*Honor, justice, and humanity* call upon us to hold, and to transmit to our posterity, that liberty which we received from our ancestors. It is not our duty to leave wealth to our children; but it is our duty to leave liberty to them. No infamy, iniquity, or cruelty, can exceed our own, if we, born and educated in a country of freedom, entitled to its blessings, and knowing their value, pusillanimously deserting the post assigned us by Divine Providence, surrender succeeding generations to a condition of wretchedness, from which no human efforts, in all probability, will be sufficient to extricate them; the experience of all states mournfully demonstrating to us, that when arbitrary

power has been established over them, even the wisest and bravest nations, that ever flourished, have, in a few years, degenerated into abject and wretched vassals.

So alarming are the measures already taken for laying the foundation of a despotic authority of Great Britain over us, and with such artful and incessant vigilance is the plan prosecuted, that unless the present generation can interrupt the work, *while it is going forward*, can it be imagined, that our children, debilitated by our imprudence and supineness, will be able to overthrow it *when completed*? populous and powerful as these colonies may grow, they will still find arbitrary domination not only strengthening with their strength, but exceeding, in the swiftness of its progression, as it ever has done, all the artless advantages that can accrue to the governed. These advance with a regularity, which the Divine Author of our existence has impressed on the laudable pursuits of his creatures: but despotism, unchecked and unbounded by any laws—never satisfied with what has been done, while any thing remains to be done, for the accomplishment of its purposes—confiding, and capable of confiding only, in the annihilation of all opposition—holds its course with such unabating and destructive rapidity, that the world has become its prey, and at this day, Great Britain and her dominions excepted, there is scarce a spot on the globe inhabited by civilized nations, where the vestiges of freedom are to be observed.

To us, therefore, it appears, at this alarming period, our duty to God, to our country, to ourselves, and to our posterity, to exert our utmost abilities, in promoting and establishing harmony between Great Britain and these colonies, **ON A CONSTITUTIONAL FOUNDATION.**

For attaining this great and desirable end, we request you as soon as you meet, to appoint a proper number of persons to attend a congress of deputies from the several colonies, appointed, or to be appointed, by the representatives of the people of the colonies respectively, in assembly or convention, or by delegates chosen by the counties generally in the respective colonies, and met in provincial committee, at such time and place as shall be generally agreed on: and that the deputies from this province may be induced and encouraged to concur in such measures, as may be devised for the common welfare, we think it proper, particularly to inform you how far, we apprehend, they will be supported in their conduct by their constituents.

\*Ibid. 270.

The assumed parliamentary power of internal legislation, and the power of regulating trade, as of late exercised, and designed to be exercised, we are thoroughly convinced, will prove unfailing and plentiful sources of dissensions to our mother country and these colonies, unless some expedients can be adopted to render her secure of receiving from us every emolument that can, in justice and reason, be expected, and us secure in our lives, liberties, properties, and an equitable share of commerce.

Mournfully revolving in our minds the calamities that, arising from these dissensions, will most probably fall on us or our children, we will now lay before you the particular points we request of you to procure, if possible, to be finally decided; and the measures that appear to us most likely to produce such a desirable period of our distresses and dangers. We therefore desire of you—

First. That the deputies you appoint, may be instructed by you strenuously to exert themselves, at the ensuing congress, to obtain a renunciation, on the part of Great Britain, of all powers under the statute of the 35th of Henry the eighth, chapter the 2d—of all powers of internal legislation—of imposing taxes or duties, internal or external—and of regulating trade, except with respect to any new articles of commerce, which the colonies may hereafter raise, as silk, wine, &c. reserving a right to carry these from one colony to another—a repeal of all statutes for quartering troops in the colonies, or subjecting them to any expense on account of such troops—of all statutes imposing duties to be paid in the colonies, that were passed at the accession of his present majesty or before this time: which every period shall be judged most advisable—of the statutes giving the courts of admiralty in the colonies greater power than courts of admiralty have in England—of the statutes of the 5th of George the second, chapter the 22d, and of the 23d, of George the second, chapter the 29th—of the statute for shutting up the port of Boston—and of every other statute particularly affecting the province of Massachusetts-Bay, passed in the last session of parliament.

In case of obtaining these terms, it is our opinion, that it will be reasonable for the colonies to engage their obedience to the acts of parliament, commonly called the acts of navigation, and to every other act of parliament declared to have force; at this time, in these colonies, other than those above mentioned, and to confirm such statutes

by acts of the several assemblies. It is also our opinion, that, taking example from our mother country, in abolishing the “courts of wards and liveries, tenures in capite, and by knights service and purveyance,” it will be reasonable for the colonies, in case of obtaining the terms before mentioned, to settle a certain annual revenue on his majesty, his heirs and successors, subject to the control of parliament, and to satisfy all damages done to the East-India company.

This our idea of settling a revenue, arises from a sense of duty to our sovereign and esteem for our mother country. We know and have felt the benefits of subordinate connexion with her. We neither are so stupid as to be ignorant of them, nor so unjust as to deny them. We have also experienced the pleasures of gratitude and love, as well as advantages from that connexion. The impressions are not yet erased. We consider her circumstances with tender concern. We have not been wanting, when constitutionally called upon, to assist her to the utmost of our abilities; inasmuch that she has judged it reasonable to make us recompenses for our overstrained exertions: and we now think we ought to contribute more than we do, to the alleviation of her burthens.

Whatever may be said of these proposals on either side of the Atlantic, this is not a time, either for timidity or rashness. We perfectly know, that the great cause now agitated, is to be conducted to a happy conclusion, only by that well tempered composition of counsels, with firmness, prudence, loyalty to our sovereign, respect to our parent state, and affection to our native country, united, must form.

By such a compact, Great Britain will secure every benefit, that the parliamentary wisdom of ages has thought proper to attach to her. *From her alone* we shall still continue to receive manufactures. *To her alone* we shall continue to carry the vast multitude of enumerated articles of commerce, the exportation of which her policy has thought fit to confine to herself. *With such parts of the world only*, as she has appointed us to deal, we shall continue to deal; and *such commodities only*, as she has permitted us to bring from them, we shall continue to bring. The executive and controlling power of the crown will retain their present full force and operation. We shall contentedly labor for her as affectionate friends, in time of tranquillity: and cheerfully spend for her, as dutiful children, our treasure and our blood, in time of war. She will receive a certain income from us, without



the trouble or expense of collecting it—without being constantly disturbed by complaints of grievances which she cannot justify and will not redress. In case of war, or in any emergency of distress to her, we shall also be ready and willing to contribute all aids within our power: and we solemnly declare, that on such occasions, if we or our posterity shall refuse, neglect or decline thus to contribute, it will be a mean and manifest violation of a plain duty, and a weak and wicked desertion of the true interests of this province, which ever have been and must be bound up in the prosperity of our mother country. Our union, founded on mutual compacts and mutual benefits, will be indissoluble, at least more firm, than an union perpetually disturbed by disputed right and retorted injuries.

SECONDLY. If all the terms abovementioned cannot be obtained, it is our opinion, that the measures adopted by the congress for our relief should never be *relinquished* or *intermitted*, until those relating to the troops—internal legislation—imposition of taxes or duties hereafter—the 35th of Henry the 8th, chapter the 2d—the extension of admiralty courts,—the ports of Boston, and the province of Massachusetts Bay, are obtained.—Every modification or qualification of these points, in our judgment, shall be inadmissible. To obtain them, we think it may be prudent to settle a revenue as abovementioned, and to satisfy the East-India company.

THIRDLY. If neither of these plans should be agreed to, in congress, but some other of a similar nature shall be framed, though on the terms of a revenue and satisfaction to the East-India company, and though it shall be agreed by the congress to admit no modification or qualification in the terms they shall insist on, we desire your deputies may be instructed to concur with the other deputies in it: and we will accede to, and carry it into execution as far as we can.

FOURTHLY. As to the regulation of trade—we are of opinion, that by making some few amendments, the commerce of the colonies might be settled on a firm establishment, advantageous to Great Britain and them, requiring and subject to no future alterations, without mutual consent. We desire to have this point considered by the congress; and such measures taken, as they may judge proper.

In order to obtain redress of our common grievances, we observe a general inclination among the

colonies of entering into agreements of non-importation and non-exportation. We are fully convinced, that such agreements would withhold very large supplies from Great Britain, and no words can describe our contempt and abhorrence of those colonies, if any such there are, who, from a sordid and ill-judged attachment to their own immediate profit, would pursue that, to the injury of their country, in this great struggle for all the blessings of liberty. It would appear to us a most wasteful frugality, that would lose every important possession by too strict an attention to small things, and lose also even these at the last. For our part, we will cheerfully make any sacrifice, when necessary to preserve the freedom of our country. But other considerations have weight with us. We wish every mark of respect to be paid to his majesty's administration. We have been taught from our youth to entertain tender and brotherly affection for our fellow subjects at home. The interruption of our commerce must distress great numbers of them. This we earnestly desire to avoid. We therefore request, that the deputies you shall appoint may be instructed to exert themselves, at the congress, to induce the members of it to consent to make a full and precise state of grievances, and a decent yet firm claim of redress, and to submit the event before any other step is taken. It is our opinion, that persons should be appointed and sent home to present this state and claim, at the court of Great Britain.

If the congress shall choose to form agreements of non-importation and non-exportation immediately, we desire the deputies from this province will endeavor to have them so formed as to be binding upon all, and that they may be permanent, should the public interest require it. They cannot be efficacious, unless they can be permanent, and it appears to us, that there will be a danger of their being infringed, if they are not formed with great caution and deliberation. We have determined in the present situation of public affairs to consent to a stoppage of our commerce with Great Britain only; but in case any proceedings of parliament, which notice shall be received on this continent, before or at the congress, shall render it necessary in the opinion of the congress, to take further steps, the inhabitants of this province will adopt such steps, and do all in their power to carry them into execution.

This extensive power we commit to the congress, for the sake of preserving that unanimity of counsel and conduct, that alone can work out the

salvation of these colonies, with a strong hope and trust, that they will not draw this province into any measure judged by us, who must be better acquainted with its state than strangers, highly inexpedient. Of this kind, we know any other stoppage of trade, but of that with Great Britain, will be. Even this step we should be extremely afflicted to see taken by the congress, before the other mode above pointed out is tried. But should it be taken, we apprehend that a plan of restrictions may be so framed, agreeably to the respective circumstances of the several colonies, as to render Great Britain sensible of the imprudence of her counsels, and yet leave them a necessary commerce. And here it may not be improper to take notice, that if redress of our grievances cannot be wholly obtained, the extent or continuance of our restrictions may, in some sort, be proportioned to the rights we are contending for, and the degree of relief afforded us. This mode will render our *opposition as perpetual as our oppression*, and will be **A CONTINUAL CLAIM AND ASSERTION OF OUR RIGHTS.** We cannot express the anxiety, with which we wish the consideration of these points to be recommended to you. We are persuaded, that if these colonies fail of unanimity, or prudence in forming their resolutions, or of fidelity in observing them, the opposition by non-importation and non-exportation agreements will be ineffectual; and then we shall have only the alternative of a more dangerous contention, or of a tame submission.

Upon the whole, we shall repose the highest confidence in the wisdom and integrity of the ensuing congress: and though we have, for the satisfaction of the good people of this province, who have chosen us for this express purpose, offered you such instructions, as have appeared expedient to us, yet it is not our meaning, that by these or by any you may think proper to give them, the deputies appointed by you should be restrained from agreeing to any measures that shall be approved by a majority of the deputies in congress. We should be glad the deputies chosen by you could, by their influence, procure our opinions hereby communicated to you, to be as nearly adhered to, as may be possible: but to avoid difficulties, we desire that they may be instructed by you, to agree to any measures that shall be approved by the congress, in the manner before-mentioned; the inhabitants of this province having resolved to adopt and carry them into execution. Lastly—we desire the deputies from this province, may endeavor to procure an adjournment of the

congress, to such a day as they shall judge proper, and the appointment of a standing committee.

Agreed, that John Dickinson, Joseph Reade, and Charles Thomson, be a committee to write to the neighboring colonies, and communicate to them these resolves and instructions.

Agreed, that the committee for the city and county of Philadelphia, or any fifteen of them, be a committee of correspondence for the general committee of this province.

Extract from the minutes,

CHARLES THOMSON, *secretary.*

PHILADELPHIA, *June, 1774.*

At a very large and respectable meeting of the freeholders and freemen of the city and county of Philadelphia, on Saturday, June 18. 1774,

*Thomas Willing, John Dickinson, esquires, chairmen.*

I. *Resolved*, That the act of parliament, for shutting up the port of Boston, is unconstitutional; oppressive to the inhabitants of that town; dangerous to the liberties of the British colonies; and that therefore, we consider our brethren, at Boston, as suffering in the common cause of America.

II. That a congress of deputies from the several colonies, in North America, is the most propable and proper mode of procuring relief for our suffering brethren, obtaining redress of American grievances, securing our rights and liberties, and re-establishing peace and harmony between Great Britain and these colonies, on a constitutional foundation.

III. That a large and respectable committee be immediately appointed for the city and county of Philadelphia, to correspond with the sister colonies and with the several counties in this province, in order that all may unite in promoting and endeavoring to attain the great and valuable ends, mentioned in the foregoing resolution.

IV. That the committee nominated by this meeting shall consult together, and on mature deliberation determine, what is the most proper mode of collecting the sense of this province, and appointing deputies for the same, to attend a general congress; and having determined thereupon, shall take such measures, as by them shall be judged most expedient, for procuring this province to be represented at the said congress, in the best manner that can be devised for promoting the public welfare.

V. That the committee be instructed immediately to set on foot a subscription for the relief of such

poor inhabitants of the town of Boston, as may be deprived of the means of subsistence by the operation of the act of parliament, commonly styled the *Boston-port bill*. The money arising from such subscription to be laid out as the committee shall think will best answer the ends proposed.

VI. That the committee consist of forty-three persons, viz. John Dickinson, Edward Pennington, John Nixon, Thomas Willing, George Clymer, Samuel Howell, Joseph Reade, John Roberts, (miller) Thomas Wharton, jun. Charles Thomson, Jacob Barge, Thomas Barclay, William Rush, Robert Smith, (carpenter,) Thomas Fitzimons, George Roberts, Samuel Ervin, Thomas Mifflin, John Cox, George Gray, Robert Morris, Samuel Miles, John M. Nesbit, Peter Chevalier, William Moulder, Joseph Moulder, Anthony Morris, jun. John Allen, Jeremiah Warder, jun. rev. D. William Smith, Paul Engle, Thomas Penrose, James Mease, Benjamin Marshall, Reuben Haines, John Bayard, Jonathan B. Smith, Thomas Wharton, Isaac Howell, Michael Hillegas, Adam Hubley, George Schlosser, and Christopher Ludwick.

*My friends and fellow-citizens!*—A few days will present you with an opportunity of displaying the most noble beneficence and exalted humanity in the cause of liberty and virtue. It cannot be doubted, that the operation of the cruel edict, against the town of Boston, will expose its inhabitants, your brethren, fellow subjects and Americans, to the dreadful dangers of penury and want. The voice of freedom in distress is a sound which, I trust, no American can hear unmoved: think, my dear fellow-citizens, what would be your own expectations, if pressed by the immediate hand of power, your streets should echo with the cries of the laboring poor and industrious tradesmen, the widow, and the orphan, lacking bread: how would you look round with anxious eyes upon those, whom the policy of a vindictive minister had yet enabled to administer to your wants? how would their bounty, like the gentle dew of Heaven, cheer your drooping spirits, and dispel the dreadful gloom: the distresses of Boston have a peculiar claim upon all, who have recommended firmness, prudence, and moderation; they must be enabled to follow this advice, and exercise these virtues: the common interests of American liberty oppose their prostration at the feet of a haughty and unfeeling minister; the dignity of the cause cannot be sullied by hasty and precipitate measures: Is it not then our duty and our interest, with a liberality becoming freemen, to support them in

the hour of distress, and while we are uniting for the benefit of all, to guard them against the at desperation, whose effects will be pernicious to all. Indeed, my fellow-citizens, this is probably but a part of that scene in which we shall be called to act, or suffer; it is so most assuredly, if that devoted town, deserted and forsaken, should, in the agonies of hunger and want, sink under the load, or burst forth in a desperate effort to throw it off. Policy, humanity, the love of liberty and our country, and every principle that can ennoble the human mind, are now called forth into action; but in a manner which the most peaceable cannot disapprove, and the most animated cannot err or mislead: if any lurking prejudices or remembrances of former hardships hang upon any of our minds, how noble, how magnanimous will it appear to cast them behind us.—To shew the world, that like Christians indeed, we cannot only forget and forgive, but let the way in one great collected effort of public virtue and benevolence—that no partial views, private resentments can check the generous impulse arising from violated rights and insulted patriotis. That man must be unworthy, or insensible of the honor derived from the rank of a freeman, who can withhold his mite from such accumulated distress; but I am sure this public spirited city need no stimulus on this occasion. We shall inspire our suffering brethren with sentiments of the most tender confidence, and affectionate gratitude, pour oil and balsam into their bleeding wounds:—when the ear hears of us, it shall bless us, and when the eye sees us, it shall bear witness: because we delivered the poor that cried—the fatherless, and those who had none to help them. The widow's heart shall sing for joy, and the blessings of those who are ready to perish, shall come upon us.

PHILANTHROPOS.

Letter from the committee of Norfolk and Portsmouth to the Boston committee.

NORFOLK, June 2, 1774.

Gentlemen—We gladly take this first opportunity of assuring our brethren of Boston, on this melancholy occasion, that we are not indifferent spectators of their distressing situation, under the present cruel exertion of British power, to support an edict calculated to ruin their trade, and forever subject a very considerable property to the arbitrary pleasure of the crown. Our bosoms glow with tender regard for you; we sympathize with you in your sufferings, and thought it our duty devoutly to observe the appointment of the first of June, as a day of fasting and prayer, solemnly to address the

Almighty Ruler to support you in your afflictions, and to remove from our sovereign, those pernicious counsellors that have been wicked instruments of your oppression. Be assured we consider you as suffering in the common cause, and look upon ourselves as bound by the most sacred and solemn ties, to support you in every measure that shall be found necessary to regain your just rights and privileges.—As we have had occasion to communicate our sentiments to Charleston and Baltimore, we refer you to those letters and the other papers transmitted to you; and although we are not one of the larger commercial towns on the continent, yet as the trade is more collected here, than in any other place of this well watered and extensive dominion, we thought it our duty to communicate what we apprehend to be the sense of the mercantile part of the community among us.

That the Almighty arm may support you and shield you in the hour of danger, is the fervent prayer of,

Gentlemen, your affectionate brethren,

THOMAS NEWTON, jun.  
JOSEPH HUTCHINGS,  
MATTHEW PHRIPP,  
SAMUEL KER,  
ROBERT SHEDDEN,  
HENRY BROWN,  
ALEXANDER SKINNER,  
THOMAS BROWN,  
ROBERT TAYLOR,

A true copy, WILLIAM DAVIES, clk.

—  
ANNAPOLIS, December 15, 1774.

At a meeting of the deputies appointed by the several counties of the province of Maryland, at the city of Annapolis, by adjournment, on the 8th day of December, 1774, and continued till the 12th day of the same month, were present, eighty-five members.

MR. JOHN HALL in the chair, and

MR. JOHN DUCKETT, clerk.

The proceedings of the continental congress were read, considered, and unanimously approved. **Resolved**, That every member of this convention will, and every person in the province ought strictly and inviolably to observe and carry into execution the association agreed on by the said continental congress.

On motion, unanimously resolved, That the thanks of this convention be given, by the chairman, to the gentlemen who represented this province as deputies in the late continental congress,

for their faithful discharge of that important trust: And the same was done accordingly.

To increase our flocks of sheep, and thereby promote the woollen manufacture in this province, **Resolved**, That no person ought to kill any lamb, dropt before the first day of May yearly, or other sheep, after the first day of January next, under four years of age.

To increase the manufacture of linen and cotton, **Resolved**, That every planter and farmer ought to raise as much flax, hemp, and cotton, as he conveniently can; and the cultivation thereof is particularly recommended to such inhabitants of this province, whose lands are best adapted to that purpose—And resolved, That no flax-seed, of the growth of the present year, ought to be purchased for exportation, after the twelfth day of this month.

It being represented to this convention, that many merchants and traders of this province, from a scarcity of cash to make their remittances, and other causes, had sold their goods, within twelve months next before the twentieth day of October last, at, and sometimes even below, the prime cost; and that, in many different parts of this province, merchants had vended their goods at a very different advance on the prime cost; and it appearing to this convention to be unjust to compel such merchants to sell their goods at prime cost, and that one general rule, allowing a reasonable profit to the trader, and preventing him from taking advantage of the scarcity of goods which may be occasioned by the non importation, would give great satisfaction to the merchants and people of this province, resolved unanimously, That no merchant ought to sell his goods, at wholesale, for more than 112½ per cent.—at retail, for cash, for more than 13 per cent.—on credit, for more than 150 per cent. advance on the prime cost; and that no merchant, or other person, ought to engross any goods; wares, or merchandize whatsoever.—And in case any question should arise, respecting the prime cost of goods, every merchant or factor possessing or owning such goods, ought to ascertain the same on oath, if requested to do it by the committee.

As a further regulation to enforce an observance of the late continental association—**Resolved** unanimously, That in all cases, where breaches of the continental association, or the resolves of this convention, shall happen and be declared such by any committee of a county, no gentleman of the law ought to bring or prosecute any suit whatever for such offender: And if any factor shall commit any

breach of the said association or resolves, that no gentleman of the law ought to bring or prosecute any suit for any debt due to the store of which the said factor has the management, after notice as aforesaid.

*Resolved*, That it is earnestly recommended, by this convention, to the people of this province, that the determinations of the several county committees be observed and acquiesced in: That no persons, except members of the committees, undertake to meddle with or determine any question respecting the construction of the association entered into by the continental congress: And that peace and good order be inviolably maintained throughout this province.

*Resolved unanimously*, That if the late acts of parliament, relative to the Massachusetts-Bay, shall be attempted to be carried into execution by force in that colony, or if the assumed power of parliament to tax the colonies shall be attempted to be carried into execution by force, in that colony or any other colony, that in such case, this province will support such colony to the utmost of their power.

*Resolved unanimously*, That a well regulated militia, composed of the gentlemen, freeholders, and other freemen, is the natural strength and only stable security of a free government, and that such militia will relieve our mother country from any expense in our protection and defence; will obviate the pretence of a necessity for taxing us on that account, and render it unnecessary to keep any standing army (ever dangerous to liberty) in this province: And therefore it is recommended to such of the said inhabitants of this province as are from sixteen to fifty years of age, to form themselves into companies of sixty-eight men; to choose a captain, two lieutenants, an ensign, four serjeants, four corporals, and one drummer, for each company; and use their utmost endeavors to make themselves masters of the military exercise: That each man be provided with a good firelock and bayonet fitted thereon, half a pound of powder, two pounds of lead, and a cartouch-box, or powder-horn and bag for ball, and be in readiness to act on any emergency.

*Resolved unanimously*, That it is recommended to the committees of each county to raise by subscription, or in such other voluntary manner as they may think proper, and will be most agreeable to their respective counties, such sums of money as, with any monies already raised, will

amount to the following sums in the respective counties, to wit:

In St. Mary's county . . . . .	\$600
Charles . . . . .	800
Calvert . . . . .	366
Prince George's . . . . .	833
Anne Arundel . . . . .	866
Frederick . . . . .	1333
Baltimore . . . . .	933
Harford . . . . .	466
Worcester . . . . .	533
Somerset . . . . .	533
Dorchester . . . . .	480
Caroline . . . . .	358
Talbot . . . . .	400
Queen Anne's . . . . .	533
Kent . . . . .	566
Cecil . . . . .	400

\$10,000

And that the committees of the respective counties lay out the same in the purchase of arms and ammunition for the use of such county, to be secured and kept in proper and convenient places under the direction of the said committees.

*Resolved unanimously*, That it will be necessary that a provincial meeting of deputies, chosen by the several counties of this province, should be held in the city of Annapolis, on Monday, the 24th day of April next, unless American grievances be redressed before that time; and therefore we recommend that the several counties of this province choose deputies, as soon as conveniently may be, to attend such meeting: And the committee of correspondence for this province are impowered to call a meeting of the said deputies, before the said 24th day of April, if they shall esteem it necessary.

*Resolved unanimously*, That contributions from the several counties of this province, for supplying the necessities, and alleviating the distresses of our brethren at Boston, ought to be continued in such manner and so long as their occasions may require; and that it is the duty of the committees of each county to collect and transmit the same as soon as possible.

*Resolved unanimously*, That the hon. Matthew Tilghman, and John Hall, Samuel Chase, Thomas Johnson, jun. Charles Carroll, of Carrollton, Charles Carroll, barrister, and William Paca, esquires, or any three or more of them, be a committee of correspondence for this province.

*Resolved unanimously*, That the hon. Matthew Tilghman, and Thomas Johnson, jun. Robert Goldsborough, William Paca, Samuel Chase, John Hall, and Thomas Stone, esquires, or any three or more of them, be delegates to represent this province in the next continental congress, and that they, or any three or more of them, have full and ample power to consent and agree to all measures which such congress shall deem necessary and effectual to obtain a redress of American grievances; and this province bind themselves to execute, to the utmost of their power, all resolutions which the said congress may adopt: And further, if the said congress shall think necessary to adjourn, we do authorise our said delegates to represent and act for this province, in any one congress to be held by virtue of such adjournment.

*Resolved unanimously*, That it is recommended to the several colonies and provinces, to enter into such or the like resolutions, for mutual defence and protection, as are entered into by this province.

As our opposition to the settled plan of the British administration to enslave America, will be strengthened by an union of all ranks of men in this province, we do most earnestly recommend, that all former differences, about religion or politics, and all private animosities and quarrels of every kind, from henceforth cease and be forever buried in oblivion; and we intreat, we conjure every man by his duty to God, his country, and his posterity, cordially to unite in defence of our common rights and liberties.

*Ordered*, That copies of these resolutions be transmitted by the committee of correspondence for this province, to the committees of correspondence for the several colonies, and be also published in the Maryland Gazette.

By order, JOHN DUCKETT, clerk.

Boston, December 19, 1774.

*In Provincial Congress, Cambridge, Dec. 8, 1774.*

As the happiness of particular families arises, in a great degree, from their being more or less dependent upon others; and as the less occasion they have for any article belonging to others, the more independent; and consequently the happier they are: So the happiness of every political body of men upon earth is to be estimated, in a great measure, upon their greater or less dependence upon any other political bodies; and from hence arises a forcible argument, why every state ought to re-

gulate their internal policy in such a manner as to furnish themselves, within their own body, with every necessary article for subsistence and defence: Otherwise their political existence will depend upon others, who may take advantage of such weakness and reduce them to the lowest state of vassalage and slavery. For preventing so great an evil, more to be dreaded than death itself, it must be the wisdom of this colony at all times, more especially at this time, when the hand of power is lashing us with the scorpions of despotism, to encourage agriculture, manufactures and economy, so as to render this state as independent of every other state as the nature of our country will admit: From the consideration thereof, and trusting that the virtue of the people of this colony is such, that the following resolutions of this congress, which must be productive of the greatest good, will by them be effectually carried into execution. And it is therefore *resolved*—

1st. That we do recommend to the people the improvement of their breed of sheep, and the greatest possible increase of the same; and also the preferable use of our own woollen manufactures; and to the manufacturers, that they ask only reasonable prices for their goods; and especially a very careful sorting of the wool, so that it may be manufactured to the greatest advantage, and as much as may be, into the best goods.

2d. We do also recommend to the people the raising of hemp and flax; and as large quantities of flax-seed, more than may be wanted for sowing, may be produced, we would also further recommend the manufacturing the same into oil.

3d. We do likewise recommend the making of nails; which we do apprehend must meet with the strongest encouragement from the public, and be of lasting benefit both to the manufacturer and the public.

4th. The making of steel, and the preferable use of the same, we do also recommend to the inhabitants of this colony.

5th. We do in like manner recommend the making tin-plates, as an article well worth the attention of this people.

6th. As fire-arms have been manufactured in several parts of this colony, we do recommend the use of such, in preference to any imported: And we do recommend the making of gun-locks, and furniture and other locks, with other articles in the iron way.

7th. We do also earnestly recommend the making of salt-petre, as an article of vast importance to be encouraged, as may be directed hereafter.

8th. That gun-powder is also an article of such importance, that every man amongst us who loves his country, must wish the establishment of manufactories for that purpose, and, as there are the ruins of several powder mills, and sundry persons among us who are acquainted with that business, we do heartily recommend its encouragement, by repairing one or more of said mills, or erecting others, and renewing said business as soon as possible.

9th. That as several paper mills are now usefully employed, we do likewise recommend a preferable use of our own manufactures in this way; and a careful saving and collecting rags, &c. and also that the manufacturers give a generous price for such rags, &c.

10th. That it will be the interest, as well as the duty of this body, or of such as may succeed us, to make such effectual provision for the further manufacturing of the several sorts of glass, as that the same may be carried on to the mutual benefit of the undertaker and the public, and firmly established in this colony.

11th. That whereas buttons of excellent qualities and of various sorts are manufactured among us, we do earnestly recommend the general use of the same; so that the manufactories may be extended to the advantage of the people and manufacturers.

12th. That whereas salt is an article of vast consumption within this colony, and in its fisheries, we do heartily recommend the making the same, in the several ways wherein it is made in the several parts of Europe; especially in the method used in that part of France where they make *bay salts*.

13th. We do likewise recommend an encouragement of horn-smiths in all their various branches, as what will be of public utility.

14th. We do likewise recommend the establishment of one or more manufactories for making wool-comber's combs, as an article necessary in our woolen manufactures.

15th. We do in like manner heartily recommend the preferable use of the stocking and other hosiery wove among ourselves, so as to enlarge the manufactories thereof, in such a manner as to encourage the manufacturer and serve the country.

16th. As madder is an article of great importance in the dyer's business, and which may be raised and cured among ourselves, we do before earnestly recommend the raising and curing of the same.

17th. In order the more effectually to carry resolutions into effect, we do earnestly recommend That a society or societies be established for the purposes of introducing and establishing such manufactures as may be useful to this colony, and are not yet introduced, and the effectually establishing such as we have already among us.

18th. We do recommend to the inhabitants of this province to make use of our manufactures and those of our sister colonies, in preference to all other manufactures.

*Signed by order of the provincial congress*  
JOHN HANCOCK, *president*  
*A true extract from the minutes,*  
BENJAMIN LINCOLN, *secretary*

#### PROVINCE OF NEW HAMPSHIRE.

At the convention of the deputies appointed at the several towns in the province aforesaid at Exeter, on the 25th day of January, 1775. P. 144 members.

Hon. JOHN WENTWORTH, esq. president.

Voted unanimously, That we heartily approve the proceedings of the late grand continental congress respecting the just state of the rights and liberties of the British colonies; and of the measures recommended to restore, secure, and protect the same; and that we return our most unfeigned thanks to the late members of that congress, general, and to those of this province in particular for the faithful discharge of the important trust reposed in them.

Voted, That John Sullivan, and John Langdon, esqrs. be delegates to represent this province at the continental congress, proposed to be held at Philadelphia, on the tenth day of May next; that they and each of them in the absence of the other, have full and ample power, in behalf of this province, to consent and agree to all measures which said congress shall deem necessary to the redress of American grievances.

Voted, That two hundred and fifty pounds sterling money, be raised for defraying the expenses of said delegates.

Voted, That the hon. John Wentworth, col. John Folson, hon. Mesch Weare, esq. col. Josiah

let, col. Christopher Toppan, Ebenezer Thompson, and William Whipple, esqrs. be a committee, in behalf of this province, to call a provincial convention of deputies, when they shall judge the exigencies of public affairs require it: And that they, together with Samuel Cutts and John Pickering, esqrs. be a committee of correspondence for this province.

Voted, the following address:

*To the inhabitants of the province of New Hampshire.*

Brethren—When we consider the unhappy condition to which you and your American brethren are reduced! when we reflect that, for near ten months past, you have been deprived of any share in your own government, and of those advantages, which flow to society from legislative assemblies! when we view the lowering clouds, charged with ministerial vengeance, fast spreading over this extensive continent, ready to burst on the heads of its inhabitants and involve the whole British empire in one common ruin—at this alarming juncture, duty to Almighty God, to our country, ourselves, and posterity, loudly demands our most strenuous exertions to avoid the impending danger.

Such are the measures adopted by the British ministry, for enslaving you, and with such incessant vigilance has their plan been prosecuted, that tyranny already begins to wave its banners in your borders, and to threaten these once happy regions with infamous and detestable slavery!

Shall we, knowing the value of freedom, and nursed in the arms of liberty, make a base and ignominious surrender of our rights, thereby consigning succeeding generations to a condition of wretchedness, from which, perhaps, all human efforts will be insufficient to extricate them?

Duty to ourselves, and regard for our country, should induce us to defend our liberties, and to transmit the fair inheritance unimpaired to posterity.

Should our restless enemies drive us to arms in defence of every thing we hold dear, we should be reduced to a state, dreadful even in contemplation; or should we prove victorious, the blood of our brethren, shed in the unhappy contest, would cause the laurels to wither on our brows, and make the conquerors mourn with the vanquished: but should our enemies be successful, they will thereby rivet the chains of slavery upon us and our posterity.

Thus surrounded with dangers and distresses on every side, it behoves us to adopt and pursue such peaceable measures as, under God, will be most

likely to prevent those dreadful calamities with which we are threatened.

Fully sensible that to point out, with any degree of certainty, the methods by which you may shun the threatening evils; would require more than human wisdom, we can only recommend such measures as appear to us most likely to answer the desirable end, best calculated to restore to you that peace and harmony, so ardently wished for by every good and honest American.

We therefore earnestly recommend,

1st. That you discountenance and discourage all trespasses and injuries against individuals, and their property, and all disorders of every kind; and that you cultivate and maintain peace and harmony among yourselves.

2d. That you yield due obedience to the magistrates within this government; and carefully endeavor to support the laws thereof.

3d. That you strictly adhere to the association of the late continental congress, and deal with the violators of it, in the manner therein recommended

4th. That you endeavor particularly to enforce the laws of the province against hawkers, pedlars, and petty chapmen.

5th. That you abstain from the use of East-India tea, whenever, or by whatever means it has, or may be imported.

6th. That you encourage and support your several committees of correspondence and inspection, in discharging the very important trust you have reposed in them.

7th. That in case any inhabitants of these colonies should be seized, in order to be transported to Great Britain, or other parts beyond seas, to be tried for offences supposed to be committed in America, you conduct yourselves agreeable to the advice of the late continental congress.

8th. That, in your several stations, you promote and encourage the manufactures of this country; and endeavor, both by precept and example, to induce all under you, and with whom you are connected, to practice economy and industry, and to shun all kinds of extravagance.

9th. That the officers of the several regiments strictly comply with the laws of this province for regulating a militia—And as the militia upon this continent, if properly disciplined, would be able to do great service in its defence, should it ever be invaded by his majesty's enemies—that you



quaint yourselves with the manual exercise, particularly that recommended and enjoined by the captain general—the motions being natural, easy, and best calculated to qualify persons for real action; and also to improve themselves in those evolutions which are necessary for infantry in time of engagement.

10th. That, as your enemies are using every art to impoverish and distress you, in order to induce submission to their arbitrary mandates, you carefully shun those measures which may have a tendency to distress your brethren and fellow sufferers, and avoid all unnecessary lawsuits, and endeavor to settle disputes between you in the most amicable, and least expensive manner.—That all debtors exert themselves in discharging their just debts, and creditors exercise such lenity as their circumstances will admit of.

11th. That as the inhabitants of the town of Boston, in the province of Massachusetts-Bay, are now laboring under a load of ministerial vengeance, laid upon them to enforce obedience to certain arbitrary and unconstitutional acts, which, if once submitted to, must involve all America in slavery and ruin: conscious that all these colonies are largely indebted to the virtue and fortitude of those patriotic assertors of freedom, we heartily recommend a continuation of your contributions, for the relief of that oppressed people: And that you keep yourselves in constant readiness to support them in their just opposition, whenever necessity may require.

*Lastly.* We earnestly entreat you, at this time of tribulation and distress, when your enemies are urging you to despair; when every scene around is full of gloom and horror; that, in imitation of your pious forefathers, with contrition of spirit, and penitence of heart, you implore the Divine Being, who alone is able to deliver you from your present unhappy and distressing situation, to espouse your righteous cause, secure your liberties, and fix them on a firm and lasting basis. And we fervently beseech him to restore to you and your American brethren, that peace and tranquility, so ardently desired, and earnestly sought for, by every true friend to liberty and mankind.

By order of the convention,

J. WENTWORTH, *president.*

VIRGINIA, May, 1775.

*At a court of common council for the city of Williamsburg, held the 8th day of May, 1775.*

Whereas it hath been represented to this hall,

that, on the 4th inst. in the night time, some person or persons unknown, had broke into the public magazine, and taken from thence sundry fire arms belonging to his majesty:

We, the mayor, aldermen, and common council of the said city, being desirous to maintain peace, order and good government, do hereby declare our abhorrence of such unlawful proceeding, and do hereby require the inhabitants to use their utmost endeavors to prevent the like outrage in future, and exhort all persons who may be in possession of any of the said arms, to return the same immediately, to be replaced in the magazine.

And it having been recommended to this meeting by the governor and council, to appoint a guard to protect the said magazine, they are of opinion that they have no authority to lay any tax for that purpose, but that if some trusty person should be appointed, by his excellency the governor, to be keeper thereof, and care taken to strengthen it with proper bars, there probably would be a stop put to violences of that nature, and they do humbly recommend to his excellency, Mr. Gabriel Maupin, who lives near the magazine, as a person worthy of that trust.

(A copy) MAT. DAVENPORT, town clerk.

*Fredericksburg, committee chamber,*

*Saturday, the 29th of April, 1775.*

At a council of 102 members, delegates of the provincial convention, officers and special deputies of 14 companies of light horse, consisting of upwards of 600 well armed and disciplined men, friends of constitutional liberty and America, now rendezvoused here in consequence of an alarm occasioned by the powder being removed from the county magazine, in the city of Williamsburg, in the night of Thursday the 21st inst. and deposited on board an armed schooner by order of his excellency the governor:

The council having before them the several matters of intelligence respecting this transaction, and particularly a letter from the hon. Peyton Randolph, esq. speaker of the late house of burgesses of Virginia, received here last night by an express despatched to Williamsburg, for the purpose of gaining intelligence, informing that the gentlemen of the city of Williamsburg and neighborhood, have had full assurances from his excellency that this affair shall be accommodated, and advising that the gentlemen assembled here should proceed no further at this time—this council came to the following determination, and offer the same as their advice to those public spirited gentlemen, friends

to British liberty and America, who have honored them by this appointment. Highly condemning the conduct of the governor, on this occasion, as impolitic, and justly alarming to the good people of this colony, tending to destroy all confidence in government, and to widen the unhappy breach between Great Britain and her colonies, ill-timed and totally unnecessary, consider this instance as a full proof that no opinion which may be formed of the good intentions of a governor in private life, can afford security to our injured and oppressed country; but that obedience to arbitrary, ministerial mandate, and the most oppressive and tyrannical system of government, must be the fatal line of conduct to all his majesty's present servants in America; at the same time justly dreading the horrors of a civil war, influenced by motives of the strongest affection to our fellow subjects of Great Britain, most ardently wishing to heal our mutual wounds, and therefore preferring peaceable measures, whilst the least hope of reconciliation remains, do advise that the several companies now rendezvoused here do return to their respective homes. But considering the just rights and liberty of America to be greatly endangered by the violent and hostile proceedings of an arbitrary ministry, and being firmly resolved to resist such attempts at the utmost hazard of our lives and fortunes, do now pledge ourselves to each other to be in readiness, at a moment's warning, to re-assemble, and, by force of arms, to defend the laws, the liberty and rights of this, or any sister colony, from unjust and wicked invasion. Ordered, that expresses be despatched to the troops assembled at the Bowling Green, and also to the companies from Frederick, Berkely, Dunmore, and such other counties as are now on their march, to return them thanks for their cheerful offers of service, and to acquaint them with the determination now taken.

GOD SAVE THE LIBERTIES OF AMERICA.

The foregoing determination of council, having been read at the head of each company, was cordially and unanimously approved.

At a committee appointed and held for Hanover county, at the court house, on Tuesday the 9th of May, 1775—

PRESENT,

John Syme, Samuel Overton, William Craghead, Meriweather Skelton, Richard Morris, Benjamin Anderson, John Pendleton, John Robinson, Nelson Berkely, and George Dabney, jun.

Agreeably to a resolution of the committee held at Newcastle the 2d inst. setting forth, that they

being fully informed of the violent hostilities committed by the king's troops in America, and of the danger arising to the colony by the loss of the public powder, and of the conduct of the governor, which threatens, altogether, calamities of the greatest magnitude and most fatal consequences to this colony, and therefore recommending reprisals to be made upon the king's property, sufficient to replace the gun-powder taken out of the magazine, it appears to this committee, that the volunteers who marched from Newcastle, to obtain satisfaction for the public powder, by reprisal or otherwise, proceeded on that business as follows, to wit: "That an officer with 16 men was detached to seize the king's receiver general, with orders to detain him; and this, it was supposed, might be done without impeding the progress of the main body. The said receiver general not being apprehended, owing to his absence from home, the said detachment, according to orders, proceeded to join the main body on its march to Williamsburg, and the junction happened the 3d instant at Doncastle's ordinary about sunset. A little after sunrise next morning, the commanding officer being assured that proper satisfaction in money should be instantly made, the volunteers halted, and the proposal being considered by them, was judged satisfactory as to that point; and the following receipt was given, viz "Doncastle's ordinary, New Kent, May 4, 1775: Received from the hon. Richard Corbin, esq. his majesty's receiver general, £330, as a compensation for the gun-powder lately taken out of the public magazine by the governor's order; which money I promise to convey to the Virginia delegates at the general congress, to be under their direction, laid out in gun-powder for the colony's use, and to be stored as they shall direct, until the next colony convention or general assembly, unless it shall be necessary, in the mean time, to use the same in defence of this colony. It is agreed that in case the next convention shall determine that any part of the said money ought to be returned to his majesty's said receiver general, that the same shall done accordingly.

Test,

PAT. HENRY, jun."

SAM. MEREDITH, } (A true copy)  
PARKE GOODALE. }

It was then considered that as a general congress would meet in a few days, and probably a colony convention would shortly assemble, and that the reprisal now made would amply replace the powder, with the charges of transportation, the commanding officer wrote the following letter, and sent it by express.

Sir—The affair of the powder is now settled, so as to produce satisfaction to me, and I earnestly wish to the colony in general. The people here have it in charge, from Hanover committee, to tender their service to you, as a public officer, for the purpose of escorting the public treasury to any place in this colony, where the money may be judged more safe than in the city of Williamsburg. The reprisal now made by the Hanover volunteers, though accomplished in a manner least liable to the imputation of violent extremity, may possibly be the cause of future injury to the treasury. If therefore you apprehend the least danger, a sufficient guard is at your service. I beg the return of the bearer may be instant, because the men wish to know their destination. With great regard, I am, sir, your most humble servant,

PAT. HENRY, jun.

To ROBERT CARTER NICHOLAS, esq. treasurer,  
Test, SAMUEL MEREDITH, } (A true copy)  
GARLAND ANDERSON }

To which an answer was received from the said Mr. Nicholas, importing, that he had no apprehensions of the necessity or propriety of the proffered service. For which reasons, and understanding, moreover, from others, that the private citizens of Williamsburg were in a great measure quieted from their late apprehension for their persons and property, the volunteers judged it best to return home, and did so accordingly, in order to wait the further directions of the general congress, or colony convention. It appears also to this committee, that before, and on the march, strict orders were repeatedly given to the volunteers to avoid all violence, injury and insult, towards the persons and property of every private individual; and that in executing the plan of reprisal on the persons of the king's servants and his property, bloodshed should be avoided, if possible; and that there is the strongest reason to believe that the foregoing orders, respecting private persons and property, were strictly observed.

*Resolved*, That this committee do approve of the proceedings of the officers and soldiers of the volunteer company, and do return them their most sincere thanks for their services on the late expedition; and also that the thanks of this committee be given to the many volunteers of the different counties who joined, and were marching and ready to co-operate with the volunteer company of this county.

*Ordered*, That the clerk do transmit a copy of those proceedings to the printers, and desire that

they will be pleased to publish the same in the Gazette, as soon as possible.

By order of the committee,  
(A copy). BART. ANDERSON. clerk.

TO THE PUBLIC.

*New-York, December 15, 1773.*

The following association is signed by a great number of the principal gentlemen of the city, merchants, lawyers, and other inhabitants of all ranks, and it is still carried about the city, to give an opportunity to those who have not yet signed to unite with their fellow-citizens, to testify their abhorrence to the diabolical project of enslaving America.

*The association of the sons of liberty of New-York.*

It is essential to the freedom and security of a free people, that no taxes be imposed upon them but by their own consent, or their representatives. For "what property have they in that which another may, by right, take when he pleases to himself?" The former is the undoubted right of Englishmen, to secure which they expended millions and sacrificed the lives of thousands. And yet, to the astonishment of all the world, and the grief of America, the commons of Great Britain, after the repeal of the memorable and detestable stamp-act, reassumed the power of imposing taxes on the American colonies; and, insinuating on it as a necessary badge of parliamentary supremacy, passed a bill, in the seventh year of his present majesty's reign, imposing duties on all glass, painters' colors, paper and teas, that should, after the 20th of November, 1767, be "imported from Great Britain into any colony or plantation in America."—This bill, after the concurrence of the lords, obtained the royal assent. And thus they who, from time immemorial, have exercised the right of giving to, or withholding from the crown, their aids and subsidies, according to their *own free will and pleasure*, signified by their representatives in parliament, do, by the act in question, deny us, their brethren in America, the enjoyment of the same right. As this denial, and the execution of that act, involves our slavery, and would sap the foundation of our freedom, whereby we should become slaves to our brethren and fellow subjects, born to no greater stock of freedom than the Americans—the merchants and inhabitants of this city, in conjunction with the merchants and inhabitants of the ancient American colonies, entered into an agreement to decline a part of their commerce with Great Britain, until the abovementioned act should be totally repealed. This agreement operated so powerfully to the disadvantage of the manu-

facturers of England that many of them were unemployed. To appease their clamors, and to provide the subsistence for them, which the non-importation had deprived them of, the parliament, in 1770, repealed so much of the revenue act as imposed a duty on glass, painters' colors, and vinegar, and left the duty on tea, as a *test of the parliamentary right to tax us*. The merchants of the cities of New-York and Philadelphia, having strictly adhered to the agreement, so far as it related to the importation of articles subject to an American duty, have convinced the ministry, that some other measures must be adopted to execute parliamentary supremacy over this country, and to remove the distress brought on the East-India company, by the ill-policy of that act. Accordingly, to increase the temptation to the shippers of tea from England, an act of parliament passed the last session, which gives the whole duty on tea, the company were subject to pay, upon the importation of it into England, to the purchasers and exporters; and when the company have ten millions of pounds of tea, in their ware-houses, exclusive of the quantity they may want to ship, they are allowed to export tea, discharged from the payment of that duty, with which they were before chargeable. In hopes of aid in the execution of this project, by the influence of the owners of the American ships, application was made by the company to the captains of those ships to take the tea on freight; but they virtuously rejected it. Still determined on the scheme, they have chartered ships to bring the tea to this country, which may be hourly expected, to make an important trial of our virtue. If they succeed in the sale of that tea, we shall have no property that we can call our own, and then we may bid adieu to American liberty.—Therefore, to prevent a calamity which, of all others, is the most to be dreaded—slavery, and its terrible concomitants—we, the subscribers, being influenced from a regard to liberty, and disposed to use all lawful endeavors in our power, to defeat the pernicious project, and to transmit to our posterity, those blessings of freedom which our ancestors have handed down to us; and to contribute to the support of the common liberties of America, which are in danger to be subverted, do, for those important purposes, agree to associate together, under the name and style of the *sons of liberty of New-York*, and engage our honor to, and with each other, faithfully to observe and perform the following resolutions, viz.

1st. *Resolved*, That whoever shall aid, or abet, in any manner assist, in the introduction of tea,

from any place whatsoever, into this colony, while it is subject, by a British act to parliament, to the payment of a duty, for the purpose of raising a revenue in America, he shall be deemed an enemy to the liberties of America.

2d. *Resolved*, That whoever shall be aiding, or assisting, in the landing, or carting of such tea, from any ship, or vessel, or shall hire any house, store-house, or cellar or any place whatsoever, to deposit the tea, subject to a duty as aforesaid, he shall be deemed an enemy to the liberties of America.

3d. *Resolved*, That whoever shall sell, or buy, or in any manner contribute to the sale, or purchase of tea, subject to a duty as aforesaid, or shall aid, or abet, in transporting such tea, by land or water, from this city, until the 7th George III. chap. 46, commonly called the revenue act, shall be totally and clearly repealed, he shall be deemed an enemy to the liberties of America.

4th. *Resolved*, That whether the duties on tea, imposed by this act, be paid in Great Britain or in America, our liberties are equally affected.

5th. *Resolved*, That whoever shall transgress any of these resolutions, we will not deal with, or employ, or have any connection with him.

New-York, Nov. 29, 1773.

FROM THE BRISTOL (ENG.) GAZETTE, MARCH 24, 1774.  
LORD CHATHAM'S speech on the declaratory bill of the sovereignty of Great Britain over the colonies.

When I spoke last on this subject, I thought I had delivered my sentiments so fully, and supported them with such reasons, and such authorities, that I apprehended I should be under no necessity of troubling your lordship again. But I am compelled to rise up and beg your further indulgence; I find that I have been very injuriously treated, have been considered as the broacher of new fangled doctrines, contrary to the laws of this kingdom, and subversive of the rights of parliament. My lord, this is a heavy charge, but more so when made against one stationed as I am, in both capacities, as P— and J—, the defender of the law and the constitution. When I spoke last, I was indeed replied to, but not answered. In the intermediate time many things have been said. As I was not present, I must now beg leave to answer such as have come to my knowledge. As the affair is of the utmost importance, and in its consequences may involve the fate of kingdoms, I took the strictest review of my arguments; I reexamined all

my authorities; fully determined, if I found myself mistaken, publicly to own my mistake, and give up my opinion. But my searches have more and more convinced me that the British parliament have no right to tax the Americans. I shall not therefore consider the declaratory bill now lying on your table; for to what purpose, but loss of time, to consider the particulars of —, the very existence of which is illegal, absolutely illegal, contrary to the fundamental laws of nature, contrary to the fundamental laws of this constitution grounded on the eternal and immutable laws of nature; a constitution on whose foundation and centre is liberty, which sends liberty to every subject that is or may happen to be within any part of its ample circumference. Nor, my lord, is the doctrine new; it is as old as the constitution; it grew up with it, it is its support; taxation and representation are inseparably united; God hath joined them, no British parliament can separate them; to endeavor to do it is to stab our very vitals. Nor is this the first time this doctrine has been mentioned; seventy years ago, my lord, a pamphlet was published, recommending the levying a parliamentary tax on one of the colonies; this pamphlet was answered by two others, then much read; these totally deny the power of taxing the colonies; and why? because the colonies had no representatives in parliament to give consent: no answers, public or private, was given to these pamphlets; no censure passed upon them; men were not startled at the doctrine, as either new or illegal, or derogatory to the rights of parliament. I do not mention these pamphlets by way of authority, but to vindicate myself from the imputation of having first broached this doctrine.

My position is this—I repeat it—I will maintain it to my last hour—taxation and representation are inseparable; this position is founded on the laws of nature; it is more, it is itself an eternal law of nature; for whatever is a man's own, is absolutely his own; no man has a right to take it from him without his consent, either expressed by himself or representative; whoever attempts to do it, attempts an injury; whoever does it, commits a robbery; he throws down and destroys the distinction between liberty and slavery. Taxation and representation are coeval with, and essential to, this constitution. I wish the maxim of Machiavel was followed, that of examining a constitution, at certain periods, according to its first principles; this would correct abuses and supply defects. I wish the times would bear it, and that men's minds were cool enough to enter upon such a task, and that the representative

authority of this kingdom was more equally settled. I am sure some histories of late published, have done great mischief; to endeavor to fix the era when the house of commons began in this kingdom, is a most pernicious and destructive attempt; to fix it in an Edward's or Henry's reign, is owing to the idle dreams of some whimsical, ill-judging antiquarians: But, my lord, this is a point too important to be left to such wrong-headed people. When did the house of commons first begin? When, my lord? It began with the constitution, it grew up with the constitution; there is not a blade of grass growing in the most obscure corner of this kingdom, which is not, which was not, ever represented since the constitution began; there is not a blade of grass which, when taxed, was not taxed by the consent of the proprietor.

There is a history written by one Carte, a history that most people see through; and there is another favorite history, much read and admired. I will not name the author, your lordship must know whom I mean, and you must know from whence he pilfered his notions concerning the first beginning of the house of commons. My lord, I challenge any one to point out the time when any tax was laid upon any person by parliament, that person being unrepresented in parliament. The parliament laid a tax upon the palatinate of Chester, and ordered commissioners to collect it there, as commissioners were ordered to collect it in other counties; but the palatinate refused to comply; they addressed the king by petition, setting forth, that the English parliament had no right to tax them; that they had a parliament of their own; they had always taxed themselves, and therefore desired the king to order his commissioners not to proceed. My lord, the king received the petition; he did not declare them either seditious or rebellious, but allowed their plea, and they taxed themselves. Your lordship may see both the petition and the king's answer, in the records in the Tower. The clergy taxed themselves; when the parliament attempted to tax them, they stoutly refused, said they were not represented there; that they had a parliament of their own, which represented the clergy; that they would tax themselves; they did so. Much stress has been laid upon Wales, before it was united as it now is, as if the king, standing in the place of the former princes of that country, raised money by his own authority; but the real facts are otherwise: For I find that, long before Wales was subdued, the northern counties of that principality had representatives and a parliament or assembly. As to Ireland, my lord, before

that kingdom had a parliament, as it now has, if your lordship will examine the old records, you will find that, when a tax was to be laid on that country, the Irish sent over their representatives; and the same records will inform your lordship what wages those representatives received from their constituents. In short, my lord, from the whole of our history, from the earliest period, you will find that taxation and representation were always united; so true are the words of that consummate reasoner and politician Mr. Locke. I before alluded to his book; I have again consulted him; and finding that he writes so applicable to the subject in hand, and so much in favor of my sentiments, I beg your lordship's leave to read a little of his book.

"The supreme power cannot take from any man, any part of his property without his own consent;" and B. II. p. 136—139, particularly 140. Such are the words of this great man, and which are well worth your lordship's serious attention. His principles are drawn from the heart of our constitution, which he thoroughly understood, and will last as long as that shall last; and, to his immortal honor, I know not to what, under Providence, the revolution and all its happy effects are more owing than to the principles of government laid down by Mr. Locke. For these reasons, my lord, I can never give my assent to any bill for taxing the American colonies, while they remain unrepresented; for, as to the distinction of a virtual representation, it is so absurd as not to deserve an answer; I therefore pass it over with contempt. The forefathers of the Americans did not leave their native country, and subject themselves to every danger and distress, to be reduced to a state of slavery: they did not give up their rights; they looked for protection, and not for chains, from their mother country; by her they expected to be defended in the possession of their property, and not to be deprived of it; for should the present power continue, there is nothing which they can call their own; or, to use the words of Mr. Locke, "what property have they in that which another may by right take when he pleases to himself?"

LONDON, March, 1774.

Governor Johnston's speech on the bill for blockading the town of Boston.

MR. SPEAKER—I find so much difficulty in pronouncing my sentiments at any time, that unless the house is kindly disposed to hear me at this late hour, I shall patiently sit down, because I am conscious it will require their greatest indulgence

to enable me to express myself in a manner worthy of their attention. A modesty, becoming my situation, prevented me from offering my opinion before, when I saw men of so much superior ability rising from the beginning of the debate.

It may appear arrogant in a member so inferior as I confess myself to be, to offer objections to a bill, so extensive in its consequences under every consideration, especially after it must have been so maturely considered, in every article, by men so distinguished by their talents and high situations in office, besides the general applause which has followed the bill in its rapid progress through this house. Nevertheless, though naturally diffident of my opinion, when I had the good or bad fortune (I don't know which to term it) of prognosticating to the chairman of the East-India company, the consequences of sending this tea, on their own account, to America, and that the event has literally fulfilled my words, as it is well known to some members now in my eye, it makes me more confident in warning the house of what I apprehend will be the consequences of this bill.

I told the chairman of the East-India company, first in conversation, on asking my opinion, and afterwards by letter, that the evidence might appear in the progress of things, that I conceived the East-India company exporting tea on their own account was, under every consideration of their situation and institution, wrong, but, under the present discontents and disputed matters of government in America, CRIMINALLY ABSURD, because they were presenting themselves as the butt in the controversy, where they would probably come off with the loss of the whole. The event has justified my prediction; for whatever repayment the company may obtain from the town of Boston, under those cruel coercive measures now proposed, (the effect of which I still doubt) yet the company must remain great losers, even if the other provinces, equally culpable, are made to refund the loss arising from their conduct; because it was not supplies of cash at a distant period the company wanted, but an IMMEDIATE SUPPLY, to answer a temporary exigency, which a combination of the enemies of the company had produced.

I now venture to predict to this house, that the effect of the present bill must be productive of a general confederacy, to resist the power of this country. It is irritating, tempting, nay inviting men to those deeds, by ineffectual expedients, the abortions of an undecisive mind, incapable of comprehending the chain of consequences which

must result from such a law.—I am not one of those who believe, that distant provinces can be retained in their duty by preaching or enchantments; I believe that *forces or power*, conducted with wisdom, are the means of securing regular obedience under every establishment, but that such force should never be applied to any degree of rigour, unless it shall carry the general approbation of mankind in the execution. However much such approbation may prevail at the particular moment in this house, it is impossible to believe the sense of Great Britain, or the sense of America, can go to the punishing a PARTICULAR TOWN, for resisting the payment of the tea-tax, which is universally odious throughout America, and is held in ridicule and contempt by every thinking man in this country.—The question of taxing America is sufficiently nice to palliate resistance, if the subject had never been litigated in this country; but, after the highest characters in the state had declared against the right of this country to impose taxes on America, for the purposes of revenue; after the general voice of the senate had concurred in *REPEALING THE STAMP ACT*, upon that principle; after those men, who had maintained these doctrines, had been promoted by his majesty to the first stations in the administration of civil and judicial affairs, there is so much mitigation to be pleaded in favor of the Americans, from those circumstances (allowing them in an error at present) that every man must feel the height of cruelty, by enforcing contrary maxims, with any degree of severity at first, before due warning is given

It is in vain to say that Boston is more culpable than the other colonies; sending the ships from thence, and obliging them to return to England, is a more solemn and deliberate act of resistance, than the outrage committed by persons in disguise, in the night, when the ship refused to depart.—That the blocking up of the harbor of Boston, to prevent the importation of British manufactures, or the exportation of goods which are to pay for them, is a measure equally absurd as if the parliament here, upon the resistance which was made to their resolution, by the riots of Brentford, and other disturbances in the county of Middlesex, had decreed, by way of punishment, that the freeholders should have been prohibited from sowing wheat. For whose benefit do the inhabitants of Boston toil and labor? The springs in the circle of commerce bear so nicely on each other, that few men can tell by interrupting one, the degree and extent to which the rest may be exposed. By excluding the importation of molasses, and the exportation of that

spirit which is distilled at Boston, the whole Guinea trade will be affected, and in consequence the sugar trade that depends upon it. In extending this kind of punishment to the other colonies, every one must see the danger; and yet, if it can be approved for one, the same arguments will hold good to approve or reject it respecting the other. But let any man figure to himself the consequences to this country, if a similar punishment was applied to the colony of Virginia; £300,000 a year diminution in revenue, besides the loss of all the foreign contracts, and perhaps of that beneficial trade forever. Notwithstanding the general approbation which has been given to this bill, and the loud applauses which have been re-echoed to every word of the noble lord in explaining it, yet no man will be bold enough to say, that this *PARTIAL PUNISHMENT* is a remedy for the general disease, and yet without knowing what is to follow, no man can be vindicated (even supposing the bill right in part) for giving his assent to it. Those gentlemen who are in the secrets of the cabinet, and know how assuredly every proposition from them is adopted by this house, may be excused for their sanguine acclamations in favor of the measure. But the general mass, who must be equally ignorant with myself of what is to follow, can have no excuse for giving their assent so readily for punishing their fellow subjects in so unprecedented a manner, and their eager zeal serves only to shew how ready they are to obey the will of another, without exercising their own judgment in the case. If the government of this country is resisted in America, my opinion is, instead of removing the seat of government in the colony, and forcing the elements to bend to our will, which is impossible, that an effectual force should be carried to the heart of the colony resisting, to crush rebellion in the bud, before a general confederacy can be formed. In the present case we abandon the government, and drive the inhabitants to despair, leaving the multitude a prey to any ambitious spirit that may arise. For my own part I am convinced, from experience in the colonies, that good government may be conducted there upon rational grounds, as well as in this country; but the power and means of governing, rewards and punishments, are taken from your supreme executive magistrate in every sense, and then you are surprised that all order and obedience should cease. The colonies can only be governed by their assemblies, as England by the house of commons; the patent officers, as well as those in the customs, which were formerly given, at the recommendation of the governors, to

men supporting government, and residing in the provinces, are now given in reversion, three or four lives deep, to men living in this country. The command of the military, which was another great source of respect and obedience, is likewise taken from the governor; so that in turn he remains an insignificant pageant of state, fit only to transmit tedious accounts of his own ridiculous situation: or, like the doctor of Sorbonne, to debate with his assembly about abstract doctrines in government.

I am far from wishing to throw any blame upon governor Hutchinson, or to condemn him, like the town of Boston, unheard. The absence of the man, and the general clamor against him, will restrain me from saying many things respecting his conduct, which appear reprehensible. But I cannot admit a passage in the speech of a noble lord to pass unnoticed. His lordship alleges, "that the governor could not apply to the admiral in the harbor, or to the commanding officer of the troops in the castle, for the protection of the custom-house officers, as well as the teas in question, without the advice of his council." But I beg leave to inform the noble lord, as I served in that station myself, that there is a volume of instructions to every governor on this subject, whereby he is commanded, under the severest penalties, "to give all kind of protection to trade and commerce, as well as to the officers of his majesty's customs, by his own authority, without the necessity of acting through his council." Nor can I conceive a possible excuse for the destruction of those teas, while two men of war lay in the harbor, without the least application having been made to the admiral for protection, during so long a transaction.

The first essential point in those disputes which are now likely to become so serious, by the weakness of administration in this country, in following no connected plan, either of force or favor, but constantly vibrating between the two, is to put ourselves in the right, and for this purpose I would recommend the immediate ~~REPEAL OF THE TEA DUTY~~, which can be vindicated upon no principles, either of commerce or policy. Men may allege this would be giving up the point. But if we have no better points to dispute upon, I am ready to yield the argument. Raising taxes in America for the purposes of ~~REVENUE~~, I maintain to be unnecessary and dangerous. A stamp act, as a measure of police, varied for the different governments, and leaving the revenue raised thereby to be appropriated by the respective legislatures, I hold to be a measure of the highest efficacy, for maintain-

ing a due obedience to the authority of this country, and prolonging that dependence for ages to come. How far it can be executed after what has already passed, I am rather diffident; but of this I am certain, that in case Great Britain is deprived of executing a measure of that nature, which, by pervading every transaction, secures the execution in itself, she has lost one of the greatest engines for supporting her influence throughout the empire without oppression. Some men, who are for simplifying government to their own comprehensions, will not allow they can conceive that the supreme legislative authority shall not be paramount in all things; and taxation being fully comprehended in legislation, they argue, that the power of the one must necessarily follow that of the other; and yet we find mankind possessed of privileges, which are not to be violated in the most arbitrary countries. The province of Languedoc is a striking example in refutation of the doctrines respecting taxation, which are held by such narrow observers. The kingdom of Ireland is another instance in our dominions. There is not one argument which can apply for exempting Ireland from taxation by the parliament of Great Britain, that does not equally protect the colonies from the power of such partial judges. Every man should now call to his remembrance by what obstinate insatiation Philip the II. came to lose the United Provinces. Can it be supposed that, in a nation so wise as Spain was at that time, that no man perceived the injustice and futility of the measure in dispute? But I can easily suppose, from the pride of authority where our vanity is so much flattered, that no man durst venture a proposition for receding from that cruel measure after it had been resisted by violence.

These are the general heads:

The particular objections to the bill are, first, for continuing the punishment "until satisfaction shall be made to the India company," without stating the amount; or what that satisfaction shall be. Next, "until peace and good order shall be certified to be restored," when it is impossible, as to the subject in dispute, that such certificate can ever be granted, because the custom-house officers are removed, and all trade and commerce prohibited. The numerous disputes and litigations which must necessarily arise in carrying this law into execution, on contract made by parties before they could be apprised of it, and the despatch of ships in harbor under the limited time, without any exception for the desertion of seamen, or wind and weather, is altogether melancholy to consider! The power given to the admiral, or chief commander, to order



the ships returning from foreign voyages to such stations, as he shall direct, is wild, vexatious, and indefinite. That of permitting his majesty to alter the value of all the property in the town of Boston, upon restoring the port, by affixing such quays and wharves, as he only shall appoint, for landing and shipping of goods, is liable to such misrepresentation and abuse, that I expect to see every evil follow the exercise of it, and it must create infinite jealousies and distractions among the people.

I am therefore of opinion that this bill, both from the principle and manner in which it has been passed, and from fore running the general regulations that are intended, and which ought at least to accompany it, instead of quieting the disturbances in Boston, it will promote them still further, and induce the inhabitants to cut off all communication with your ships of war, which may be productive of mutual hostilities, and most probably will end in a GENERAL REVOLT.

LONDON, April 26, 1774.

*An authentic account of Friday's debate on the second reading of the bill for regulating the civil government of Massachusetts-Bay.*

Mr. Fuller said, he did not rise to make any debate, for he was not enabled as yet to form any opinion whether the bill before the house was a proper bill or not; as copies of the charters which had been ordered before the house were not yet laid, he would venture to say, that no man knew the constitution of that government; it was therefore impossible for him to say in what manner he would correct or amend it.

Sir George Saville said, he had not troubled the house before on the occasion, but he could not help observing, that the measure now before the house was a very doubtful and dangerous one; doubtful as to the propriety of regulation, and dangerous as to its consequence; that charters by government were sacred things, and are only to be taken away by a due course of law, either as a punishment for an offence, or for a breach of the contract, and that can only be by evidence of the facts; nor could he conceive that in either of those cases there could be any such thing as proceeding without a fair hearing of both parties. This measure before us seems to be a most extraordinary exertion of legislative power. Let us suppose a lease granted to a man, wherein was a covenant, the breach of which would subject him to a forfeiture of his lease—would not a court of justice require evidence of the fact? Why, then, will you

proceed different from the line which is always observed in courts of justice? You are now going to alter the charter because it is convenient. In what manner does the house mean to take away this charter, when in fact they refuse to hear the parties, or to go through a legal course of evidence of the facts. Chartered rights have, at all times, when attempted to be altered or taken away, occasioned much bloodshed and strife; and whatever persons in this house have advanced, that they do not proceed upon this business but with trembling hands, I do also assure them that I have shewn my fears upon this occasion; for I have run away from every question, except one, to which I gave my negative. I do not like to be present at a business, which I think inconsistent with the dignity and justice of this house; I tremble when I am, for fear of the consequences; and I think it a little extraordinary that Mr. Bolla should be admitted to be heard as an American agent in the house of lords, when in the house of commons he was refused. I believe it is true, that the facts set forth in his petition to this house, were different from those which he presented to the house of lords; in one declaring himself an inhabitant of Boston, and in the other omitting it. I cannot conceive it possible to proceed on this bill upon this small ground of evidence which you have had

Mr. Wilbore Ellis. I must rise, sir, with great confidence, when I differ from the honorable gentleman who spoke last, whose abilities are eminently great; but I think, sir, that chartered rights are by no means those sacred things which never can be altered; they are vested in the crown as a prerogative, for the good of the people; large; if the supreme legislature find that those charters so granted, are both unfit and inconvenient for the public utility, they have a right to make them fit and convenient; wherever private property is concerned, the legislature will not take it away without making a full recompense; but wherever the regulation of public matter is the object, they have a right to correct, controul, and take it away, as may best suit the public welfare. The crown may sometimes grant improper powers with regard to governments that are to be established; will it not be highly proper and necessary that the legislature, seeing in what manner the crown has been ill-advised, should take it in their consideration, and alter it as far as necessary? It is the legislature's duty to correct the errors that have been established in the infancy of the constitution, and regulate them for the public welfare. Is a charter, not consistent with the pub

good, to be continued? The honorable gentlemen says, much bloodshed has been occasioned by taking away or altering of chartered rights; I grant it; but it has always been where encroachments have been made by improper parties, and the attack has been carried on by improper powers. He also says, this form of government in America ought not to be altered without hearing the parties; the papers on your table, surely, are sufficient evidence of what they have to say in their defence—look only into the letter, dated the 19th November, 1773, wherein the governor applied to the council for advice, and they neglected giving it to him! and also wherein a petition was presented to the council by certain persons who applied for protection to their property during these disturbances, the council, without giving any answer, adjourned for ten days, and the governor was not able to do any thing himself without their opinion. Look again, sir, into the resolution which the council came to when they met again, stating the total insufficiency of their power. This, surely, sir, is an evidence competent to ground this bill upon. We have now got no further than just to alter these two parts, as stated by themselves. Surely, sir, that form of government which will not protect your property, ought to be altered in such a manner as it may be able to do it.

*General Conway.* What I intend to say will not delay the house long. I am very sure what I intend to say will little deserve the attention of the house; but the subject is of that importance, that it requires it. The consequence of this bill will be very important and dangerous. Parliament cannot break into a right without hearing the parties. The question then is simply this:—Have they been heard? What! because the papers say a murder had been committed, does it follow they have proved it? *Audi alteram partem*, is a maxim I have long adhered to; but it is something so inconsistent with parliamentary proceedings not to do it, that I am astonished at it. The council are blamed because they did not give that advice to the governor which he wanted. I think, sir, the governor might have acted alone, without their assistance. Gentlemen will consider, that this is not only the charter of Boston, or of any particular part, but the charter of ALL America. Are the Americans not to be heard? Do not chuse to consent and agree about appointing an agent? I think there is no harm upon this occasion, in stretching a point; and I would rather have Mr. Bollen, as an agent of America (though he is irregular in his appointment) sooner than leave it

to be said, that this bill passed without it.—*The house being vociferous*, he said, I am afraid I tire the house with my weak voice; if that is the case, I will not proceed, but I do think, and it is my sincere opinion, that we are the aggressors and innovators, and not the colonists. We have irritated and forced laws upon them for these six or seven years last past. We have enacted such a variety of laws, with these new taxes, together with a refusal to repeal the *trifling* duty on tea; all these things have served no other purpose but to distress and perplex. I think the Americans have done no more than every subject would do in an arbitrary state, where laws are imposed against their will. In my conscience, I think, taxation and legislation are in this case inconsistent. Have you not a legislative right over Ireland? And yet no one will dare to say we have a right to tax. These acts respecting America, will involve this country and its ministers in misfortunes, and I wish I may not add, in ruin.

*Lord North.* I do not consider this matter of regulation to be taking away their charters in such manner as is represented; it is a regulation of government to assist the crown; it appears to me not to be a matter of political expediency, but of necessity. If it does not stand upon that ground, it stands on nothing. The account which has just now been read to you is an authentic paper, transmitted to government here, shewing that the council refused in every case their assistance and advice; and will this country sit still when they see the colony proceeding against your own subjects, tarring and feathering your servants, denying your laws and authority, refusing every direction and advice which you send? Are we, sir, seeing all this, to be silent, and give the governor no support? Gentlemen say, let the colony come to your bar, and be heard in their defence; though it is not likely that they will come, when they deny your authority in every instance, can we remain in this situation long? We must effectually take some measures to correct and amend the defects of that government. I have heard so many different opinions in regard to our conduct in America, I hardly know how to answer them. The honorable gentleman, who spoke last, formerly blamed the tame and insipid conduct of government; now he condemns this measure as harsh and severe. The Americans have tarred and feathered your subjects, plundered your merchants, burnt your ships, denied all obedience to your laws and authority; yet so clement and forbearing has our conduct been, that it is incumbent upon us now

to take a different course. Whatever may be the consequence, we must risque something; if we do not, all is over. The measure now proposed, is nothing more than taking the election of counsellors out of the hands of those people, who are continually acting in defiance and resistance of your laws. It has also been said by gentlemen—send for the Americans to your bar—give them redress a twelve-month hence. Surely, sir, this cannot be the language that is to give effectual relief to America; it is not, I say again, political convenience, it is political necessity that urges this measure; if this is not the proper method, shew me any other which is preferable, and I will postpone it.

*Sir George Young.* It remains to me, sir, that it is unanswered and unanswerable, what has been advanced by the honorable gentleman who spoke second, that the parties should be heard, though even at a twelve-month hence. Nothing, sir, but fatal necessity can countenance this measure. No body of men ought to be proceeded against without being heard, much less ought the regulation of a whole government to take place, without the parties attending in their defence against such alterations.

*Governor Johnston.* I see, sir, a great disposition in this house to proceed in this business without knowing any thing of the constitution of America; several inconveniences will arise if the sheriff is to be appointed by the governor; the jury will, of course, be biassed by some influence or other; special juries will be most liable to this. [Here the governor gave an account of the different riots which had happened in England, and compared them with what he called the false accounts of those from America.] I impute, says he, all the misfortunes which have happened in America, to the taking away the power of the governor. No man of common sense can apprehend that the governor would ever have gone two or three days into the country, during these disturbances, if he had the command of the military power. The natural spirit of man would be fired, in such a manner, as to actuate himself to shew resistance; but in this governor no power was lodged. I disapprove much of the measure which is before us, and I cannot but think its consequences will be prejudicial,

*Mr. C. Jenkinson.* I rise, sir, only to observe, that if the colony has not that power within itself to maintain its own peace and order, the legislature should, and ought to have. Let me ask, sir, whether the colony took any step, in any shape, to

quell the riots and disturbances? No, they did none. Let me ask again, whether all the checks and controul that are necessary, are not put into the commission of the governments? Much has been said about hearing the parties, and taking away their chartered rights; I am of opinion, that where the right is a high political regulation, you are not in that instance bound to hear them; but the hearing of parties is necessary where private property is concerned. It is not only in the late proceedings, but in all former, that they have denied your authority over them; they have refused protection to his majesty's subjects, and in every instance disobeyed the laws of this country; either let this country forsake its trade with America, or let us give that due protection to it which safety requires.

*Mr. Harris.* I cannot see, sir, any reason for so wide a separation between America and England as other gentlemen are apt to think there ought to be; that country, sir, was hatched from this, and I hope we shall always keep it under the shadow of our wings. It has been said, no representation, no taxation. This was the system formerly adopted, but I do not find it authorised in any book of jurisprudence, nor do I deem it to be a doctrine either reasonable or constitutional. I insist upon it, they are bound to obey both the crown and parliament. The last twelve years of our proceedings have been a scene of lenity and inactivity. Let us proceed and mend our method, or else I shall believe, as an honorable gentleman has observed, that we are the aggressors.

*Sir Edward Astley.* If we have had a twelve years lenity and inactivity, I hope we shall not now proceed to have a twelve years cruelty and oppression. By the resolution and firmness which I perceive in the house, it seems to indicate a perseverance in the measure now proposed, which I deem to be a harsh one, and unworthy of a British legislature.

*Mr. Ward.* [The house was very noisy during the few words which he said.]—He found fault with the charter being left too much, as to the execution of its power, in the people, and he could not think the legislature was doing any thing, which it had not a right to do, as he had looked upon all charters to be granted with a particular clause in it, expressing that it should not be taken away but by the parliament.

*Governor Pownall.* I beg leave to set some gentlemen right, who have erred with regard to the

charters of America. The appointment of several of the officers is in the governor. The charter of Boston directs, that the governor shall ask the council for advice, but it does not say he shall not act without it, if they refuse to give it. It is said it is criminal to do any thing without advice of the council; I differ greatly, sir, from that doctrine; for I myself have acted without in putting an end to disturbances, in preserving the peace and good order of the place; if I had been governor during the late disturbances, I would have given an order for the military power to attend, and then let me have seen what officer dare disobey. I think the council are much to blame for not co-operating and assisting the governor, but I think the governor might have acted without the council. The council are inexcusable, though not criminal, as they are not obliged to give it. I, sir, for my part, shall give my last opinion. I have always been in one way of thinking with regard to America, which I have both given here and wrote to America. They have all along tended to one point; but it is now no longer matter of opinion. Things are now come to action; and I must be free to tell the house, that the Americans will resist these measures: they are prepared to do it. I do not mean by arms, but by the conversation of public town meetings; they now send their letters by couriers, instead of the post, from one town to another; and I can say your post office will very soon be deprived of its revenue. With regard to the officers who command the militia of that country, they will have them of their own appointment, and not from government; but I will never more give an opinion concerning America in this house; those I have given have been disregarded.

Mr. Rigby. Upon my word, sir, what was just now said, is very worthy the consideration of this house; and if, from what the honorable gentleman says, it is true, and I believe he is well informed, it appears, that America is preparing to arms; and that the deliberations of their town meetings tend chiefly to oppose the measures of this country by force. He has told you, sir, that the Americans will appoint other officers than those sent by government to command their troops. He has told you that the post office is established on their account from town to town, in order to carry their traitorous correspondence from one to another. He has told you the post office revenue will soon be annihilated. If these things are true, sir, I find we have been the aggressors, by continually doing acts of lenity for these twelve years last past. I think, sir, and I speak out boldly when I say it, that this country

has a right to tax America; but, sir, it is matter of astonishment to me, how an honorable gentleman (Mr Conway) can be the author of bringing in of a declaratory law over all America, and yet saying at one and the same time, that we have no right to tax America? If I was to begin to say that America ought not to be taxed, and that these measures were not proper, I would first desire my own declaratory law to be repealed; but being of opinion that the Americans are the subjects of this country, I will declare freely, that I think this country has a right to tax America; but I do not say that I would put any new tax on at this particular crisis; but when things are returned to a peaceable state, I would then begin to exercise it. And I am free to declare my opinion, that I think we have a right to tax Ireland, if there was a necessity so to do, in order to help the mother country. If Ireland was to rebel and resist our laws, I would tax it. The mother country has an undoubted right and controul over the whole of its colonies. Again, sir, a great deal has been said concerning requisition. Pray, in what manner is it to be obtained? Is the king to demand it, or are we, the legislative power of this country, to send a very civil polite gentleman over to treat with their assemblies? How and in what manner is he to address that assembly? Is he to tell the speaker that we have been extremely ill used by our neighbors the French; that they have attacked us in several quarters; that the finances of this country are in a bad state; and therefore we desire you will be kind enough to assist us, and give us some money? Is this to be the language of this country to that; and are we thus to go cap in hand? I am of opinion, that if the administration of this country had not been changed soon after passing the stamp-act, that tax would have been collected with as much ease as the land-tax is in Great Britain. I have acted, with regard to America, one consistent part, and shall continue in it, till I hear better reasons to convince me to the contrary.

Governor Pownall, (to explain). I apprehend I have been totally misunderstood. I did not assert the Americans were now in rebellion, but that they are going to rebel; when that comes to pass, the question will be, who was the occasion of it? Something has been said relative to requisition; I think I gave several instances wherein the same had been complied with in time of war.

Mr. C. Fox. I am glad to hear from the honorable gentleman who spoke last, that now is not the time to tax America; that the only time for that is, when all these disturbances are quelled; and

they are returned to their duty; so, I find taxes are to be the reward of obedience; and the Americans, who are considered to have been in open rebellion, are to be rewarded by acquiescing to their measures. When will be the time when America ought to have heavy taxes laid upon it? The honorable gentleman (Mr. Rigby) tells you, that that time will be when the Americans are returned to peace and quietness. The hon. gentleman tells us also, that we have a right to tax Ireland; however I may agree with him in regard to the principle, it would not be policy to exercise it; I believe we have no more right to tax the one than the other. I believe America is wrong in resisting against this country, with regard to legislative authority. It was an old opinion, and I believe a very true one, that there was a dispensing power in the crown, but whenever that dispensing power was pretended to be exercised, it was always rejected and opposed to the utmost, because it operated to me, as a subject, as a detriment to my property and liberty; but, sir, there has been a constant conduct practised in this country, consisting of violence and weakness; I wish those measures may not continue; nor can I think that the stamp-act would have been submitted to without resistance, if the administration had not been changed; the present bill before you is not *tantum* to what you want; it irritates the minds of the people, but does not correct the deficiencies of that government.

*Sir Gilbert Elliot* arose to answer Mr. C. Fox, which he did in a very masterly manner, by stating that there was not the least degree of absurdity in taxing your own subjects, over whom you have declared you had an absolute right; though that tax should, through necessity, be enacted at a time when peace and quietness were the reigning system of the times; you declare you have that right, where is the absurdity in the exercise of it?

*Sir Richard Sutton* read a copy of a letter, relative to the government of America, from a governor in America, to the board of trade, shewing that, at the most quiet times, the dispositions to oppose the laws of this country were strongly ingrafted in them, and that all their actions conveyed a spirit and wish for independence. If you ask an American who is his master? he will tell you he has none, nor any governor but Jesus Christ. I do believe it, and it is my firm opinion, that the opposition to the measures of the legislature of this country, is a determined prepossession of the idea of total independence.

After which the bill was committed for Friday next, without a division.

*At a very full meeting of the delegates from the different counties in the colony and dominion of Virginia, begun in Williamsburg, the first day of August, in the year of our Lord 1774, and continued by several adjournments to Saturday the 6th of the said month, the following association was unanimously resolved upon and agreed to.*

We, his majesty's dutiful and loyal subjects, the delegates of the freeholders of Virginia, deputed to represent them at a general meeting in the city of Williamsburg, avowing our inviolable and unshaken fidelity and attachment, to our most gracious sovereign, our regard and affection for all our friends and fellow subjects in Great Britain and elsewhere, protesting against every act or thing, which may have the most distant tendency to interrupt, or in any wise disturb his majesty's peace, and the good order of government, within this his ancient colony, which we are resolved to maintain and defend, at the risque of our lives and fortunes, but at the same time affected with the deepest anxiety, and most alarming apprehensions, of those grievances and distresses by which his majesty's American subjects are oppressed, and having taken under our most serious deliberation, the state of the whole continent, find that the present unhappy situation of our affairs is chiefly occasioned by certain ill-advised regulations, as well of our trade as internal policy, introduced by several unconstitutional acts of the British parliament, and at length, attempted to be enforced by the hand of power; solely influenced by these important and weighty considerations, we think it an indispensable duty, which we owe to our country, ourselves, and latest posterity, to guard against such dangerous and extensive mischiefs, by every just and proper means.

If, by the measures adopted, some unhappy consequences and inconveniences should be derived to our fellow subjects, whom we wish not to injure in the smallest degree, we hope and flatter ourselves, that they will impute them to their real cause—the hard necessity to which we are driven.

That the good people of this colony may, on so trying an occasion, continue steadfastly directed to their most essential interests, in hopes that they will be influenced and stimulated by our example to the greatest industry, the strictest economy, and frugality, and the execution of every public virtue, persuaded that the merchants, manufacturers, and other inhabitants of Great Britain, and, above all, that the British parliament will be convinced how much the true interest of that kingdom must

depend on the restoration and continuance of that mutual friendship and cordiality, which so happily subsisted between us, we have unanimously, and, with one voice, entered into the following resolutions and association, which we do oblige ourselves, by those sacred ties of honor and love to our country, strictly to observe; and further declare, before God and the world, that we will religiously adhere to and keep the same inviolate, in every particular, until redress of all such American grievances as may be defined and settled at the general congress of delegates from the different colonies, shall be fully obtained, or, until this association shall be abrogated or altered by a general meeting of the deputies of this colony, to be convened, as is herein after directed. And we do, with the greatest earnestness, recommend this our association, to all gentlemen, merchants, traders, and other inhabitants of this colony, hoping that they will cheerfully and cordially accede thereto.

1st. We do hereby resolve and declare that we will not either directly or indirectly, after the first day of November next, import from Great Britain, any goods, wares, or merchandizes, whatever, (medicines excepted,) nor will we, after that day, import any British manufactures, either from the West-Indies, or any other place, nor any article whatever, which we shall know, or have reason to believe, was brought into such countries from Great Britain, nor will we purchase any such articles, so imported, of any person or persons whatsoever, except such as are now in the country, or such as may arrive on or before the said first day of November, in consequence of orders already given, and which cannot now be countermanded in time.

2dly. We will neither ourselves import, nor purchase any slave, or slaves, imported by any person, after the first day of November next, either from Africa, the West-Indies, or any other place.

3dly. Considering the article of tea as the detestable instrument which laid the foundation of the present sufferings of our distressed friends in the town of Boston, we view it with horror, and therefore resolve that we will not, from this day, either import tea of any kind whatever, nor will we use or suffer, even such of it as is now at hand, to be used in any of our families.

4thly. If the inhabitants of the town of Boston, or any other colony, should, by violence or direct necessity, be compelled to pay the East-India company for destroying any tea, which they have lately, by their agents, unjustly attempted to force into

the colonies, we will not, directly or indirectly, import or purchase any British East-India commodity whatever, till the company, or some other person, on their behalf shall refund and fully restore to the owners, all such sum or sums of money as may be so extorted.

5thly. We do resolve, that unless American grievances be redressed before the 10th day of August, 1775, we will not, after that day, directly or indirectly, export tobacco or any other article whatever, to Great Britain; nor will we sell any such articles as we think can be exported to Great Britain with a prospect of gain, to any person or persons whatever, with a design of putting it into his or their power to export the same to Great Britain, either on our own, his or their account. And that this resolution may be the more effectually carried into execution, we do hereby recommend it to the inhabitants of this colony, to refrain from the cultivation of tobacco as much as conveniently may be, and in lieu thereof that they will, as we resolve to do, apply their attention and industry, to the cultivation of all such articles, as may form a proper basis for manufactures of all sorts, which we will endeavor to encourage throughout this colony to the utmost of our abilities.

6thly. We will endeavor to improve our breed of sheep, and increase their number to the utmost extent, and to this end, we will be as sparing as we conveniently can, in killing of sheep, especially those of the most profitable kind, and if we should at any time be overstocked, or can conveniently spare any, we will dispose of them to our neighbors, especially the poorer sort of people, upon moderate terms.

7thly. Resolved, that the merchants and others, venders of goods and merchandizes within this colony, ought not to take advantage of the scarcity of goods that may be occasioned by this association, but that they ought to sell the same, at the rates they have been accustomed to for twelve months past, and if they shall sell any such goods on higher terms, or shall in any manner, or by any device whatever, violate or depart from this resolution, we will not, and are of opinion that no inhabitant of this colony ought, at any time thereafter, to deal with any such persons, their factors, or agents, for any commodity whatever; and it is recommended to the deputies of the several counties, that committees be chosen in each county, by such persons as accede to this association, to take effectual care that these resolves be properly observed, and for corresponding occasionally with the

general committee of correspondence in the city of Williamsburg. Provided that, if exchange should rise, such advance may be made in the prices of goods as shall be approved by the committee of each county.

8thly. In order the better to distinguish such worthy merchants and traders, who are well wishers to this colony, from those who may attempt, through motives of self-interest, to obstruct our views, we do hereby resolve, that we will not, after the first day of November next, deal with any merchant or trader, who will not sign this association, nor until he hath obtained a certificate of his having done so from the county committee, or any three members thereof. And if any merchant, trader, or other person, shall import any goods or merchandize, after the first day of November, contrary to this association, we give it as our opinion, that such goods and merchandize should be either forthwith re-shipped, or delivered up to the county committee, to be stored at the risk of the importer, unless such importer shall give a proper assurance to the said committee, that such goods or merchandizes shall not be sold within this colony during the continuance of this association; and if such importer shall refuse to comply with one or the other of these terms, upon application and due caution given to him or her, by the said committee, or any three members thereof, such committee is required to publish the truth of the case in the Gazette, and in the county where he or she resides, and we will thereafter consider such person or persons as inimical to this country, and break off every connexion and all dealings with them.

9thly. Resolved, That if any person or persons shall export tobacco, or any other commodity, to Great Britain, after the 10th day of August, 1775, contrary to this association, we shall hold ourselves obliged to consider such person or persons as inimical to the community, and as an approver of American grievances; and give it as our opinion, that the public should be advertised of his conduct, as in the 8th article is desired.

10thly. Being fully persuaded that the united wisdom of the general congress may improve these our endeavors to preserve the rights and liberties in British America, we decline enlarging at present, but do hereby resolve that we will conform to, and strictly observe, all such alterations, or additions, assented to by the delegates for this colony, as they may judge it necessary to adopt, after the same shall be published and made known to us.

11thly. Resolved, That we think ourselves called upon by every principle of humanity and brotherly affection, to extend the utmost and speediest relief to our distressed fellow subjects in the town of Boston, and therefore most earnestly recommend it to all the inhabitants of this colony, to make such liberal contributions as they can afford; to be collected and remitted to Boston, in such manner as may best answer so desirable a purpose.

12thly, and lastly. Resolved, that the moderator of this meeting, and, in case of his death, Robert Carter Nicholas, esquire, be empowered, on any future occasion, that may in his opinion require it, to convene the several delegates of this colony, at such time and place as he may judge proper; and in case of the death or absence of any delegate, it is recommended that another be chosen in his place.

Peyton Randolph,  
Robert C. Nicholas,  
Richard Bland,  
Richard Henry Lee,  
George Washington,  
Benjamin Harrison,  
Edmund Pendleton,  
Patrick Henry, junior.  
Southy Simpson,  
Isaac Smith,  
J. Walker,  
Thomas Jefferson,  
John Tabb,  
John Winn,  
William Cabell,  
Joseph Cabell,  
Frederick Macklin,  
Henry Tazewell,  
Henry Bell,  
R. Rutherford,  
William Acrill,  
P. Carrington,  
James Speed,  
Archibald Cary,  
B. Watkins,  
Henry Pendleton,  
Henry Field, junior  
William Fleming,  
John Mayo,  
Robert Bolling,  
John Banister,  
Francis Slaughter,  
Henry King,  
Worlich Westwood,  
James Edmonson,  
W. Roane,

Meriwether Smith,  
Charles Broadwater,  
Thomas Marshall,  
James Scott, junior.  
Isaac Zane,  
George Rootes,  
Thomas Whiting,  
Lewis Burwell,  
Thomas M. Randolph,  
John Woodson,  
Nathaniel Terry,  
Micajah Watkins,  
J. Mercer,  
J. Syme,  
Richard Adams,  
Samuel Du Val,  
William Norwell,  
John S. Wills,  
John Day,  
Richard Hardy,  
Joseph Jones,  
William Fitzhugh,  
George Brooke,  
George Lyne,  
Carter Braxton,  
William Aylett,  
James Selden,  
Charles Carter,  
Francis Peyton,  
Thomas Walker,  
Thomas Pettus,  
Edmund Berkeley,  
James Montague,  
Robert Burton,  
Benner Goode,  
Lemuel Riddick,

Baker,	Francis Lightfoot Lee,
asset,	Edwin Gray,
ge,	Henry Taylor,
ewton, jun.	George Stubblefield,
t,	Mann Page, jun.
oy,	John Alexander,
join,	C. Carter,
ley Thornton,	Allen Cocke,
enner,	Nicholas Faulcon, jun.
arbour,	David Mason,
ibb,	Michael Blow,
on,	William Harwood,
hress,	William Langhorne,
obnson,	Richard Lee,
Wright,	Dudley Digges,
,	Thomas Nelson, jun.
rn,	Champion Travia,
meley Carter,	Joseph Hutchings.

*for the deputies appointed to meet in general assembly on the part of the colony of Virginia.*

happy disputes between Great Britain and the American colonies, which began about the middle of the reign of his present majesty, and continually increasing, have proceeded to dangerous and alarming as to excite just fears, in the minds of his majesty's faithful subjects of this colony, that they are in danger of being deprived of their natural, ancient, and constitutionally chartered rights, have compelled them to come into their most serious consideration, being deprived of their usual and accustomed mode of making known their grievances, and have entreated us their representatives to consider it proper to be done in this dangerous crisis in our affairs. It being our opinion that the government of North America should be a general congress of all the colonies, we have entreated the honorable Peyton Randolph, Richard Henry Lee, George Washington, Henry, Richard Bland, Benjamin Harrison, and Pendleton, esquires, deputies to represent this colony in the said congress, to be held at Philadelphia on the first Monday in September

they may be the better informed of our situation, touching the conduct we wish them to pursue on this important occasion, we desire they will, in the first place, our faith and true loyalty to his majesty King George the third, our lawful and rightful sovereign; and that we are ready, with our lives and fortunes, to support the legal exercise of all his just rights and

prerogatives; and however misrepresented, we sincerely approve of a constitutional connexion with Great Britain, and wish most ardently a return of that intercourse of affection and commercial connexion that formerly united both countries, which can only be affected by a removal of those causes of discontent which have of late unhappily divided us.

It cannot admit of a doubt but that British subjects in America, are entitled to the same rights and privileges as their fellow subjects possess in Britain; and therefore, that the power assumed by the British parliament to bind America by their statutes, in all cases whatsoever, is unconstitutional, and the source of these unhappy differences.

The end of government would be defeated by the British parliament exercising a power over the lives, the property, and the liberty of the American subject; who are not, and from their local circumstances cannot, be there represented. Of this nature we consider the several acts of parliament for raising a revenue in America, for extending the jurisdiction of the courts of admiralty, for seizing American subjects and transporting them to Britain to be tried for crimes committed in America, and the several late oppressive acts respecting the town of Boston, and province of the Massachusetts-Bay.

The original constitution of the American colonies possessing their assemblies with the sole right of directing their internal polity, it is absolutely destructive of the end of their institution that their legislatures should be suspended, or prevented, by hasty dissolutions, from exercising their legislative powers.

Wanting the protection of Britain, we have long acquiesced in their acts of navigation restrictive of our commerce, which we consider as an ample recompense for such protection; but as those acts derive their efficacy from that foundation alone, we have reason to expect they will be restrained, so as to produce the reasonable purposes of Britain, without being injurious to us.

To obtain a redress of those grievances, without which the people of America can neither be safe, free, nor happy, they are willing to undergo the great inconvenience that will be derived to them from stopping all imports whatsoever from Great Britain, after the first day of November next, and also to cease exporting any commodity whatsoever, to the same place, after the 10th day of August, 1775. The earnest desire we have, to make a



quick and full payment, as possible, of our debts to Great Britain; and to avoid the heavy injury that would arise to this country from an earlier adoption of the non-exportation plan, after the people have already applied so much of their labor to the perfecting of the present crop, by which means they have been prevented from pursuing other methods of clothing and supporting their families, have rendered it necessary to restrain you in this article of non-exportation; but it is our desire that you cordially co-operate with our sister colonies, in general congress, in such other just and proper methods as they, or the majority, shall deem necessary for the accomplishment of these valuable ends.

The proclamation issued by general Gage, in the government of the province of the Massachusetts-Bay, declaring it treason for the inhabitants of that province to assemble themselves to consider of their grievances, and form associations for their common conduct on the occasion, and requiring the civil magistrates and officers to apprehend all such persons to be tried for their supposed offences, is the most alarming process that ever appeared in a British government; that the said general Gage hath thereby assumed and taken upon himself powers denied by the constitution to our legal sovereign; that he, not having condescended to disclose by what authority he exercises such extensive and unheard of powers, we are at a loss to determine whether he intends to justify himself as the representative of the king, or as the commander in chief of his majesty's forces in North America. If he considers himself as acting in the character of his majesty's representative, we would remind him, that the statute 25th Edward III. has expressed and defined all treasonable offences, and that the legislature of Great Britain hath declared that no offence shall be construed to be treason but such as is pointed out by that statute, and that this was done to take out of the hands of tyrannical kings, and of weak and wicked ministers, that deadly weapon which constructive treason had furnished them with, and which had drawn the blood of the best and honestest men in the kingdom, and that the king of Great Britain hath no right, by his proclamation, to subject his people to imprisonment, pains, and penalties.

That, if the said general Gage conceives he is empowered to act in this manner, as the commander in chief of his majesty's forces in America, this odious and illegal proclamation must be considered as a plain and full declaration that this despotical tyranny will be bound by no law, nor regard the

constitutional rights of his majesty's subjects, whenever they interfere with the plan he has formed for oppressing the good people of the Massachusetts-Bay; and therefore, that the executing, or attempting to execute, such proclamation, will justify RESISTANCE and REPRISAL.

PHILADELPHIA, March 27, 1775.

*A speech delivered in CARPENTER'S HALL, March 16th, before the subscribers, towards a fund for establishing manufactories of woollen, cotton and linen, in the city of Philadelphia.—Published at the request of the company.*

GENTLEMEN—When I reflect upon the extent of the subject before me, and consider the small share of knowledge I possess of it, I confess I rise with timidity to speak in this assembly; and it is only because the requests of fellow-citizens in every laudable undertaking should always operate with the force of commands, that I have prevailed upon myself to execute the task you have assigned me.

My business, upon this occasion, is to lay before you a few thoughts upon the NECESSITY, POSSIBILITY and ADVANTAGES of establishing woollen, cotton, and linen manufactories among us.

The NECESSITY of establishing these manufactories is obvious from the association of the congress, which puts a stop to the importation of British goods, of which woolens, cottons, and linens, always made a considerable part. So large has been the demand for these articles, and so very necessary are they in this country, that it is impossible for us to clothe ourselves without substituting some others in their room. I am far from thinking that the non-importation agreement will be so transitory a thing, as some have supposed. The appearance of a change of measures in England respecting the colonies, does not flow from a conviction of their injustice. The same arbitrary ministers continue in office, and the same arbitrary favorites continue to abuse the confidence of our sovereign. Sudden conversion should be trusted with caution, especially, when they have been brought about by interest or fear. I shall think the liberties of America established at an easy price by a two or three years non-importation agreement. By union and perseverance in this mode of opposition to Great Britain, we shall afford a new phenomenon in the history of mankind, and furnish posterity with an example to teach them that peace, with all the rights of humanity and justice, may be maintained by the exertion of economical, as well as military virtues. We shall,

moreover, demonstrate the falsehood of those systems of government, which exclude patriotism from the list of virtues; and show, that we act most *merely* for ourselves, when we act most *disinterestedly* for the public.

THE POSSIBILITY of establishing woolen, cotton and linen manufactories among us is plain, from the success which hath attended several attempts that have been made for that purpose. A great part of the inhabitants of several of the counties in this province, clothe themselves entirely with woollens and linens manufactured in their own families. Our wool is equal in quality to the wool of several European countries, and if the same pains were bestowed in the culture of our sheep, which are used in England and Spain, I have no doubt but in a few years our wool would equal the wool of Segovia itself. Nor will there be a deficiency in the quantity of wool which will be necessary for us, if we continue to adhere to the association of the congress, as strictly as we have done. If the city of Philadelphia consumes 20,000 sheep less this year, than it did last, how many 20,000 sheep may we suppose will be saved throughout the whole province. According to the ordinary increase in the breed of sheep, and allowing for the additional quantity of wool, which a little care of them will produce, I think I could make it appear that in five years there will be wool enough raised in the province to clothe the whole of its inhabitants.—Cotton may be imported upon such terms from the West-Indies and southern colonies, as to enable us to manufacture thicksets, calicoes, &c. at a much cheaper rate than they can be imported from Britain. Considering how much these stuffs are worn by those classes of people who constitute the majority of the inhabitants of our country, the encouragement of the cotton manufactory appears to be an object of the utmost consequence. I cannot help suggesting in this place, although it may appear foreign to our subject, that the trade to the West-Indies and southern colonies for cotton, would create such a commercial union, with the middle and northern colonies, as would tend greatly to strengthen that political union which now subsists between them. I need say nothing of the facility of cultivating flax, nor of the excellent quality of the linens which have been already manufactured among us. I shall only add, that this manufactory may be carried on without lessening the value of that trade which arises from the exportation of our flaxseed to Ireland.

I cannot help laying a good deal of stress upon the public spirit of my countrymen, which removes

the success of these manufactories beyond a bare possibility, and seems to render it in some measure certain. The resolves of the congress have been executed with a fidelity hardly known to laws in any country, and that too without the assistance of fire and sword, or even of the civil magistrate, and in some places, in direct opposition to them all. It gives me the utmost pleasure to mention here, that our province is among the foremost of the colonies in the peaceable mode of opposition recommended by the congress. When I reflect upon the temper we have discovered in the present controversy, and compare it with the habitual spirit of industry and economy for which we are celebrated among strangers, I know not how to estimate our virtue high enough. I am sure no objects will appear too difficult, nor no undertakings too expensive for us in the present struggle. The sum of money which has been already subscribed for the purpose of these manufactories, is a proof that I am not too sanguine in my expectations from this province.

I come now to point out the advantages we shall derive from establishing the woolen, cotton and linen manufactories among us. The first advantage I shall mention is, we shall save a large sum of money annually in our province. The province of Pennsylvania is supposed to contain 400,000 inhabitants. Let us suppose, that only 50,000 of these are clothed with the woollens, cottons and linens of Great Britain, and that the price of clothing each of these persons, upon an average, amounts to £5 sterling a year. If this computation be just, then the sum annually saved in our province by the manufactory of our clothes will amount to £250,000 sterling. Secondly, Manufactories, next to agriculture, are the basis of the riches of every country. Cardinal Ximenes is remembered at this day in Spain more for the improvement he made in the breed of sheep, by importing a number of rams from Barbary, than for any other services he rendered his country. King Edward the IV. and queen Elizabeth, of England, are mentioned with gratitude by historians for passing acts of parliament to import a number of sheep from Spain; and to this mixture of Spanish with English sheep, the wool of the latter owes its peculiar excellence and reputation, all over the world. Louis the XIV. king of France, knew the importance of a woolen manufactory in his kingdom, and in order to encourage it, allowed several exclusive privileges to the company of woolen traders in Paris. The effects of this royal patronage of this manufactory have been too sensibly felt

by the English, who have, within these thirty or forty years, had the mortification of seeing the trade up the Levant, for woollen cloths, in some measure monopolized by the French. It is remarkable that the riches, and naval power of France have increased in proportion to this very lucrative trade. Thirdly, By establishing these manufactories among us, we shall employ a number of poor people in our city, and that too in a way most agreeable to themselves, and least expensive to the company; for, according to our plan, the principal part of the business will be carried on in their own houses. Travellers through Spain inform us, that in the town of Segovia, which contains 60,000 inhabitants, there is not a single beggar to be seen. This is attributed entirely to the woollen manufactory which is carried on in the most extensive manner in that place, affording constant employment to the whole of their poor people. Fourthly, By establishing the woollen, cotton and linen manufactories in this country, we shall invite manufacturers from every part of Europe, particularly from Britain and Ireland, to come and settle among us. To men who want money to purchase lands, and who, from habits of manufacturing, are disinclined to agriculture, the prospect of meeting with employment as soon as they arrive in this country, in a way they have been accustomed to, would lessen the difficulties of emigration, and encourage thousands to come and settle in America. If they increased our riches by increasing the value of our property, and if they added to our strength by adding to our numbers only, they would be a great acquisition to us. But there are higher motives which should lead us to invite strangers to settle in this country. Poverty, with its other evils, has joined with it in every part of Europe, all the miseries of slavery. America is now the only asylum for liberty in the whole world. The present contest with Great Britain was perhaps intended by the Supreme Being, among other wise and benevolent purposes, to show the world this asylum, which, from its remote and unconnected situation with the rest of the globe, might have remained a secret for ages. By establishing manufactories, we stretch forth a hand from the ark to invite the timid manufacturers to come in. It might afford us pleasure to trace the new sources of happiness which would immediately open to our fellow creatures from their settlement in this country. Manufactories have been accused of being unfriendly to population. I believe the charge should fall upon slavery. By bringing manufacturers into this land of liberty and plenty, we recover them

from the torpid state in which they existed in their own country, and place them in circumstances which enable them to become husbands and fathers, and thus we add to the general tide of human happiness. Fifthly, The establishment of manufactories in this country, by lessening our imports from Great Britain, will deprive European luxuries and vices of those vehicles in which they have been transported to America. The wisdom of the congress cannot be too much admired in putting a check to them both. They have in effect said to them—"Thus far shall ye go, and no further."—Sixthly, By establishing manufactories among us, we erect an additional barrier against the encroachments of tyranny. A people, who are *entirely* dependent upon foreigners for food or clothes, must always be subject to them. I need not detain you in setting forth the misery of holding property, liberty and life upon the precarious will of our fellow subjects in Britain. I beg leave to add a thought in this place which has been but little attended to by the writers upon this subject, and that is, that poverty, confinement and death are trifling evils, when compared with that *total* depravity of heart which is connected with slavery. By becoming slaves, we shall lose every principle of virtue. We shall transfer unlimited obedience from our Maker, to a corrupted majority in the British house of commons, and shall esteem their crimes, the certificates of their divine commission to govern us. We shall cease to look with horror upon the prostitution of our wives and daughters, by those civil and military harpies, who now hover around the liberties of our country. We shall *cheerfully* lay them both at their feet. We shall hug our chains. We shall cease to be men. We shall be *slaves*.

I shall now consider the objections which have been made to the establishment of manufactories in this country.

The first, and most common objection to manufactories in this country is, that they will draw off our attention from agriculture. This objection derives great weight from being made originally by the duke of Sully, against the establishment of manufactories in France. But the history of that country shows us, that it is more founded in speculation than fact. France has become opulent and powerful in proportion as manufactories have flourished in her, and if agriculture has not kept pace with her manufactories, it is owing entirely to that ill-judged policy which forbade the exportation of grain. I believe it will be found, upon ex-

quity, that a greater number of hands have been taken from the plough, and employed in importing, retailing and transporting British woollens, cottons and linens, than would be sufficient to manufacture as much of them, as would clothe all the inhabitants of the province. There is an endless variety in the geniuses of men, and it would be to preclude the exertion of the faculties of the mind, to confine them entirely to the simple arts of agriculture. Besides, if these manufactories were conducted as they ought to be, two thirds of the labor of them will be carried on by those members of society who cannot be employed in agriculture, namely, by women and children.

A second objection is, that we cannot manufacture cloths so cheap here, as they can be imported from Britain. It has been the misfortune of most of the manufactories which have been set up in this country, to afford labor to journeymen, only for six or nine months in the year, by which means their wages have necessarily been so high as to support them in the intervals of their labor. It will be found, upon enquiry, that those manufactories which occupy journeymen the whole year, are carried on at as cheap a rate as they are in Britain. The expense of manufacturing cloth will be lessened from the great share women and children will have in them; and I have the pleasure of informing you that the machine lately brought into this city for lessening the expense of time and hands in spinning, is likely to meet with encouragement from the legislature of our province. In a word, the experiments which have been already made among us, convince us that woollens and linens of all kinds, may be made and bought as cheap as those imported from Britain, and I believe every one, who has tried the former, will acknowledge that they wear twice as well as the latter.

A third objection to manufactories is, that they destroy health, and are hurtful to population. The same may be said of navigation, and many other arts which are essential to the happiness and glory of a state. I believe that many of the diseases to which the manufacturers in Britain are subject, are brought on, not so much by the nature of their employment, but by their unwholesome diet, damp houses, and other bad accommodations, each of which may be prevented in America.

A fourth objection to establishing manufactories in this country is a political one. The liberties of America have been twice, and we hope will be a third time preserved by a non-importation of Bri-

ish manufactures. By manufacturing our own cloths we deprive ourselves of the only weapon by which we can hereafter effectually oppose Great Britain. Before we answer this objection, it becomes us to acknowledge the obligations we owe to our merchants for consenting, so cheerfully, to a suspension of their trade with Britain. From the benefits we have derived from their virtue, it would be unjust to insinuate that ever there will be the least danger of trusting the defence of our liberties to them; but I would wish to guard against placing one body of men only upon that forlorn hope to which a non-importation agreement must always expose them. For this purpose, I would fill their stores with the manufactures of American looms, and thus establish their trade upon a foundation that cannot be shaken. Here then we derive an answer to the last objection that was mentioned; for, in proportion as manufactories flourish in America, they must decline in Britain, and it is well known that nothing but her manufactories have rendered her formidable in all our contests with her. These are the foundations of all her riches and power. These have made her merchants nobles, and her nobles princes. These carried her so triumphantly through the late expensive war, and these are the support of a power more dangerous to the liberties of America, than her fleets and armies, I mean the power of corruption. I am not one of those vindictive patriots who exult in the prospect of the decay of the manufactories of Britain. I can forgive her late attempts to enslave us, in the memory of our once mutual freedom and happiness. And should her liberty—her arts—her fleets and armies and her empire, ever be interred in Britain, I hope they will all rise in British garments only in America.

WATERTOWN, April 26th, 1775.

In provincial congress of Massachusetts, to the inhabitants of Great Britain.

Friends and fellow subjects—Hostilities are at length commenced in this colony by the troops under the command of general Gage, and it being of the greatest importance, that an early, true, and authentic account of this inhuman proceeding should be known to you, the congress of this colony have transmitted the same, and from want of a session of the hon. continental congress, think it proper to address you on the alarming occasion.

By the clearest depositions relative to this transaction, it will appear that on the night preceding the nineteenth of April instant, a body of the King's troops, under command of colonel Smith,

were secretly landed at Cambridge, with an apparent design to take or destroy the military and other stores, provided for the defence of this colony, and deposited at Concord—that some inhabitants of the colony, on the night aforesaid, whilst travelling peaceably on the road, between Boston and Concord, were seized and greatly abused by armed men, who appeared to be officers of general Gage's army; that the town of Lexington, by these means, was alarmed, and a company of the inhabitants mustered on the occasion—that the regular troops on their way to Concord, marched into the said town of Lexington, and the said company, on their approach, began to disperse—that, notwithstanding this, the regulars rushed on with great violence and first began hostilities, by firing on said Lexington company, whereby they killed eight, and wounded several others—that the regulars continued their fire, until those of said company, who were neither killed nor wounded, had made their escape—that colonel Smith, with the detachment then marched to Concord, where a number of provincials were again fired on by the troops, two of them killed and several wounded, before the provincials fired on them, and that these hostile measures of the troops, produced an engagement that lasted through the day, in which many of the provincials and more of the regular troops were killed and wounded.

To give a particular account of the ravages of the troops, as they retreated from Concord to Charlestown, would be very difficult, if not impracticable; let it suffice to say, that a great number of the houses on the road were plundered and rendered unfit for use, several were burnt, women in child-bed were driven by the soldiery naked into the streets, old men peaceably in their houses were shot dead, and such scenes exhibited as would disgrace the annals of the most uncivilized nation.

These, brethren, are marks of ministerial vengeance against this colony, for refusing, with her sister colonies, a submission to slavery; but they have not yet detached us from our royal sovereign. We profess to be his loyal and dutiful subjects, and so hardly dealt with as we have been, are still ready, with our lives and fortunes, to defend his person, family, crown and dignity. Nevertheless, to the persecution and tyranny of his cruel ministry we will not tamely submit—appealing to Heaven for the justice of our cause, we determine to die or be free.

We cannot think that the honor, wisdom and valour of Britons will suffer them to be longer

inactive spectators of measures in which they themselves are so deeply interested—measures, pursued in opposition to the solemn protests of many noble lords, and expressed sense of conspicuous commoners, whose knowledge and virtue have long characterized them as some of the greatest men in the nation—measures, executed contrary to the interest, petitions and resolves of many large, respectable and opulent counties, cities and boroughs in Great Britain—measures highly incompatible with justice, but still pursued with a specious pretence of easing the nation of its burthens—Measures which, if successful, must end in the ruin and slavery of Britain, as well as the persecuted American colonies.

We sincerely hope that the Great Sovereign of the universe, who hath so often appeared for the English nation, will support you in every rational and manly exertion with these colonies, for saving it from ruin, and that, in a constitutional connection with the mother country, we shall soon be altogether a free and happy people.

By order,

JOSEPH WARREN, *president, P. T.*

*The following is a copy of a letter from general Lee to general Burgoyne, upon his arrival in Boston.*

PHILADELPHIA, June 7, 1775.

*My dear sir—*We have had twenty different accounts of your arrival at Boston, which have been regularly contradicted the next morning; but as I now find it certain that you are arrived, I shall not delay a single instant addressing myself to you. It is a duty I owe to the friendship I have long and sincerely professed for you; a friendship to which you have the strongest claim from the first moments of our acquaintance. There is no man from whom I have received so many testimonies of esteem and affection; there is no man whose esteem and affection could, in my opinion, have done me greater honor. I intreat and conjure you, therefore, my dear sir, to impute these lines not to a petulant itch of scribbling, but to the most unfeigned solicitude for the future tranquility of your mind, and for your reputation. I sincerely lament the infatuation of the times, when men of such a stamp as Mr. Burgoyne and Mr. Howe, can be seduced into so impious and nefarious a service by the artifice of a wicked and insidious court and cabinet. You, sir, must be sensible that these epithets are not unjustly severe. You have yourself experienced the wickedness and treachery of this court and cabinet. You cannot but recollect their manœuvres in your own select committee,

and the treatment yourself, as president, received from these abandoned men. You cannot but recollect the black business of St. Vincents, by an opposition to which you acquired the highest and most deserved honor. I shall not trouble you with my opinion of the right of taxing America without her own consent, as I am afraid, from what I have seen of your speeches, that you have already formed your creed on this article; but I will boldly affirm, had this right been established by a thousand statutes, had America admitted it from time immemorial, it would be the duty of every good Englishman, to exert his utmost to divest parliament of this right, as it must inevitably work the subversion of the whole empire. The malady under which the state labors is indisputably derived from the inadequate representation of the subject, and the vast pecuniary influence of the crown. To add to this pecuniary influence and incompetency of representation, is to insure and precipitate our destruction. To wish any addition, can scarcely enter the heart of a citizen, who has the least spark of public virtue, and who is at the same time capable of seeing consequences the most immediate. I appeal, sir, to your own conscience, to your experience and knowledge of our court and parliament, and I request you to lay your hand upon your heart, and then answer with your usual integrity and frankness, whether, on the supposition America should be subject enough to submit to the terms imposed, you think a single guinea, raised upon her, would be applied to the purpose (as it is ostentatiously held out to deceive the people at home) of easing the mother country? or whether you are not convinced that the whole they could extract would be applied solely to heap up still further the enormous fund for corruption, which the crown already possesses, and of which a most diabolical use is made. On these principles I say, sir, every good Englishman, abstracted of all regard for America, must oppose her being taxed by the British parliament; for my own part, I am convinced that no argument (not totally abhorrent from the spirit of liberty and the British constitution) can be produced in support of this right. But it would be impertinent to trouble you upon a subject which has been so amply, and in my opinion, so fully discussed. I find by a speech given as your's in the public papers, that it was by the king's positive command you embarked in this service. I am somewhat pleased that it is not an office of your own seeking, though, at the same time, I must confess that it is very alarming to every virtuous citizen, when he sees men of sense

and integrity, (because of a certain profession) lay it down as a rule implicitly to obey the mandates of a court, be they ever so flagitious. It furnishes, in my opinion, the best arguments for the total reduction of the army. But I am running into a tedious essay, whereas I ought to confine myself to the main design and purpose of this letter, which is to guard you and your colleagues from those prejudices which the same miscreants, who have infatuated general Gage and still surround him, will labor to instil into you against a brave, loyal and most deserving people. The avenues of truth will be shut up to you. I assert, sir, that even general Gage will deceive you as he has deceived himself; I do not say he will do it designedly. I do not think him capable; but his mind is so totally poisoned, and his understanding so totally blinded by the society of fools and knaves, that he no longer is capable of discerning facts as manifest as the noon day sun. I assert, sir, that he is ignorant, that he has from the beginning been consummately ignorant of the principles, temper, disposition and force of the colonies. I assert, sir, that his letters to the ministry, (at least such as the public have seen) are one continued issue of misrepresentation, injustice, and tortured inferences from misstated facts. I affirm, sir, that he has taken no pains to inform himself of the truth; that he has never conversed with a man who has had the courage or honesty to tell him the truth.—I am apprehensive that you and your colleagues may fall into the same trap, and it is the apprehension that you may be inconsiderately hurried, by the vigour and activity you possess, into measures which may be fatal to many innocent individuals, may hereafter wound your own feelings, and which cannot possibly serve the cause of those who sent you, that has prompted me to address these lines to you. I most devoutly wish, that your industry, valor and military talents, may be reserved for a more honorable and virtuous service against the natural enemies of your country, (to whom our court are so basely complaisant) and not be wasted in ineffectual attempts to reduce to the wretchedest state of servitude, the most meritorious part of your fellow subjects. I say, sir, that any attempts to accomplish this purpose, must be ineffectual. You cannot possibly succeed. No man is better acquainted with the state of this continent than myself. I have ran through almost the whole colonies, from the North to the South, and from the South to the North. I have conversed with all orders of men, from the first estated gentlemen, to the lowest planters and farmers, and can assure you, that

the same spirit animates the whole. Not less than an hundred and fifty thousand gentlemen, yeomen and farmers, are now in arms, determined to preserve their liberties or perish.—As to the idea that the Americans are deficient in courage, it is too ridiculous and glaringly false to deserve a serious refutation.—I never could conceive upon what this notion was founded.—I served several campaigns in America the last war, and cannot recollect a single instance of ill behavior in the provincials, where the regulars acquitted themselves well. Indeed we well remember, some instances, of the reverse, particularly where the late colonel Grant, (he who lately pledged himself for the general cowardice of America) ran away with a large body of his own regiment, and was saved from destruction by the valor of a few Virginians. Such preposterous arguments are only proper for the Rigby's and Sandwich's, from whose mouths never issued, and to whose breasts, truth and decency are utter strangers. You will much oblige me in communicating this letter to general Howe, to whom I could wish it should be considered in some measure addressed, as well as to yourself. Mr. Howe is a man for whom I have ever had the highest love and reverence. I have honored him for his own connections, but above all for his admirable talents and good qualities. I have courted his acquaintance and friendship, not only as a pleasure, but as an ornament; I flattered myself that I had obtained it.—Gracious God! is it possible that Mr. Howe should be prevailed upon to accept of such an office? That the brother of him, to whose memory the much injured people of Boston erected a monument, should be employed as one of the instruments of their destruction!—But the fashion of the times it seems is such, as renders it impossible that he should avoid it. The commands of our most gracious sovereign, are to cancel all moral obligations, to sanctify every action, even those that the satrap of an eastern despot would start at.—I shall now beg leave to say a few words with respect to myself and the part I act.—I was bred up from my infancy in the highest veneration for the liberties of mankind in general. What I have seen of courts and princes convinces me, that power cannot be lodged in worse hands than in theirs; and of all courts I am persuaded that ours is the most corrupt and hostile to the rights of humanity. I am convinced that a regular plan has been laid (indeed every act, since the present accession, evinces it) to abolish even the shadow of liberty from amongst us. It was not the demolition of the tea, it was not any other particular act

of the Bostonians, or of the other provinces which constituted their crimes. But it is the noble spirit of liberty manifestly pervading the whole continent, which has rendered them the objects of ministerial and royal vengeance.—Had they been notoriously of another disposition, had they been *homines ad servitudinem paratos*, they might have made as free with the property of the East-India company as the felonious North himself with impunity. But the lords of St. James', and the mercenaries of St. Stephen's, will know that, as long as the free spirit of this great continent remains unsubdued, the progress they can make in their scheme of universal despotism, will be but trifling. Hence it is, that they wage inexorable war against America. In short, this is the last asylum of persecuted liberty.—Here, should the machinations and fury of her enemies prevail, that bright Goddess must fly off from the face of the earth, and leave not a trace behind. These, sir, are my principles; this is my persuasion, and consequentially I am determined to act. I have now, sir, only to entreat that whatever measures you pursue, whether those which your real friends (myself amongst them) would wish, or unfortunately those which our accursed misrulers shall dictate, you will still believe me to be, personally, with the greatest sincerity and affection,

Your's &c. C. LEE.

*A letter from general Burgoyne, in answer to one wrote him by general Lee.*

Boston, July 9, 1775.

Dear sir—When we were last together in service, I should not have thought it within the vicissitude of human affairs that we should meet at any time, or in any sense as foes; the letter you have honored me with, and my own feelings combine to prove we are still far from being personally such.

I claim no merit from the attentions you so kindly remember, but as they manifest how much it was my pride to be known for your friend: Nor have I departed from the duties of that character, when I will not scruple to say, it has been almost general offence to maintain it: I mean since the violent part you have taken in the commotions of the colonies. It would exceed the limits and propriety of our present correspondence to argue at full, the great cause in which we are engaged. But anxious to preserve a consistent and ingenuous character, and jealous, I confess, of having the part I sustain imputed to such motives as you intimate, I will state to you as concisely as I can, the princi-

ples upon which, not voluntarily, but most conscientiously, I undertook it.

I have, like you, entertained from my infancy a veneration for public liberty. I have likewise regarded the British constitution as the best safeguard of that blessing, to be found in the history of mankind. The vital principle of the constitution, in which it moves and has its being, is the supremacy of the king in parliament; a compound, indefinite, indefeasible power, coeval with the origin of the empire, and coextensive over all its parts—I am no stranger to the doctrines of Mr. Locke and other of the best advocates for the rights of mankind, upon the compact always implied between the governing and governed, and the right of resistance in the latter, when the compact shall be so violated as to leave no other means of redress. I look with reverence, almost amounting to idolatry, upon those immortal whigs who adopted and applied such doctrine during part of the reign of Charles the 1st, and in that of James the 2d.—Should corruption pervade the three estates of the realm, so as to pervert the great ends of their institution, and make the power, vested in them for the good of the whole people, operate like an abuse of the prerogative of the crown, to general oppression, I am ready to acknowledge, that the same doctrine of resistance applies as forcibly against the abuses of the collective body of power, as against those of the crown, or either of the component branches separately: still always understood that no other means of redress can be obtained.—A case, I contend, much more difficult to suppose when it relates to the whole than when it relates to parts. But in all cases that have existed, or can be conceived, I hold that resistance, to be justifiable, must be directed against the usurpation or undue exercise of power, and that it is most criminal when directed against any power itself inherent in the constitution.

And here you will discern immediately why I drew a line in the allusion I made above to the reign of Charles the first. Towards the close of it the true principle of resistance was changed, and a new system of government projected accordingly. The patriots, previous to the long parliament and during great part of it, as well as the glorious revolutionists of 1688, resisted to vindicate and restore the constitution; the republicans resisted, to subvert it.

Now, sir, lay your hand upon your heart, as you have enjoined me to do on mine, and tell me, to

which of these purposes do the proceedings of America tend? Is it the weight of taxes imposed, and the impossibility of relief, after due representation of her burthens, that has induced her to take arms? Or is it a denial of the legislative right of Great Britain to impose them, and consequently a struggle for total independency?—For the idea of a power that can tax externally and not internally, and all the sophistry that attends it, though it may catch the weakness and prejudices of the multitude, in a speech or a pamphlet, is too preposterous to weigh seriously with a man of your understanding, and I am persuaded you will admit the question fairly put.

Is it then for a relief from taxes—or from the controul of parliament, “in all cases whatsoever,” that we are in war? If for the former, the quarrel is at an end—There is not a man of sense and information in America, who does not see it is in the power of the colonies to obtain a relinquishment of the exercise of taxation immediately and forever.—I boldly assert it, because sense and information must also suggest to every man, that it can never be the interest of Britain to make a second trial.

But if the other ground is taken, and it is intended to wrest from Great Britain, a link of that substantial, and I hope perpetual chain, by which the empire holds—think it not a ministerial mandate; think it not mere professional ardour; think it not prejudice against any part of our fellow subjects, that induces men of integrity, and among such you have done me the honor to class me, to act with vigor:—But be assured it is conviction that the whole of our political system depends upon preserving entire its great and essential parts, and none is so great and essential as the supremacy of legislation—It is conviction that as a king of England never appears in so glorious a capacity as when he employs the executive power of the state to maintain the laws, so in the present exertions of that power, his majesty is particularly entitled to our zeal and grateful obedience, not only as soldiers but as citizens.

These principles, depend upon it, actuate the army and fleet throughout. And let me, at the same time add, there are few, if any, gentlemen among us who would have drawn his sword in the cause of slavery. But, why do I confine myself to the fleet and army: I affirm the sentiments I here touched, to be those of the great bulk of the nation. I appeal even to those trading towns which



are sufferers by the dispute, and the city of London at the head of them, notwithstanding the petitions and remonstrances that the arts of parties and factions have extorted from some individuals; and last, because least in your favor, I appeal to the majorities of the last year upon American questions in parliament. The most licentious news writer wants assurance to call these majorities ministerial; much less will you, when you impartially examine the characters of which they were in a great degree composed—men of the most independent principles and fortunes, and many of them professedly in opposition in their general line of conduct.

Among other supporters of British rights against American claims, I will not speak positively, but I firmly believe, I may name the men of whose integrity and judgment you have the highest opinion, and whose friendship is nearest your heart: I mean lord Thanet, from whom my aid de camp has a letter for you, with another from sir C. Davers. I do not enclose them, because the writers, little imagining how difficult your conduct would render our intercourse, desired they might be delivered into your own hands.

For this purpose, as well as to renew "the rights of our fellow-ship," I wish to see you; and above all I should think an interview happy if it induced such explanations as might tend in their consequences to peace. I feel, in common with all around me, for the unhappy deluded bulk of this country—they foresee not the distress that is impending. I know Great Britain is ready to open her arms upon the first reasonable overtures of accommodation; I know she is equally resolute to maintain her original rights; and I also know, that if the war proceeds, your hundred and fifty thousand men will be no match for her power. I put my honor to these assertions, as you have done to others, and I claim the credit I am willing to give.

The place I would propose for our meeting is the house on Boston Neck, just within our advanced sentries, called Brown's house. I will obtain authority to give you my parole of honor for your secure return: I shall expect the same on your part, that no insult be offered to me. If the proposal is agreeable to you, name your day and hour—And, at all events, accept a sincere return of the assurances you honor me with, and believe me affectionately yours,  
J. BURGOYNE.

P. S. I have been prevented by business answering your letter sooner.—I obeyed your commands in regard to general Howe and Clinton; and I like-

wise communicated to lord Percy the contents of your letter and my answer.—They all join with me in compliments, and authorize me to assure you they do the same in principles.

*General Lee's answer to general Burgoyne's letter*  
CAMBRIDGE, HEAD-QUARTERS, July 11, 1775.

General LEE's compliments to general BURGoyNE.—Would be extremely happy in the interview so kindly proposed. But as he perceives that general BURGoyNE has already made up his mind on this great subject; and that it is impossible that he [gen. LEE] should ever alter his opinion, he is apprehensive that the interview might create those jealousies and suspicions, so natural to a people struggling in the dearest of all causes, that of their liberty, property, wives, children, and their future generations. He must, therefore, defer the happiness of embracing a man whom he most sincerely loves until the subversions of the present tyrannical ministry and system, which he is persuaded must be in a few months, as he knows Great Britain cannot stand the contest.—He begs general BURGoyNE will send the letters which his aid de camp has for him. If Gardiner is his aid de camp, he desires his love to him.

*Copy of a letter sent by William Tryon, esq. to his excellency governor Trumbull, of Connecticut.*

NEW YORK, April 17th, 1778.

SIR—Having been honored with the king's commands, to circulate the enclosures to the people at large, I take the liberty to offer them to you for your candid consideration, and to recommend that, through your means, the inhabitants within your province may be acquainted with the same; as also the other provinces to the eastward.

I am, sir, your obedient servant,

W. TRYON.

Governor TRUMBULL.

*His excellency's answer.*

LEBANON, April 23, 1778.

SIR—Your letter of the 17th inst. from New York is received, with its enclosures, and the several similar packets, of various addresses, with which it was accompanied.

Proposals of peace are usually made from the supreme authority of one contending power, to the similar authority of the other; and the present is the first instance, within my recollection, when a vague, half blank, and very indefinite draught of a bill, once only read before one of the three bodies of the legislature of the nation, has ever been addressed to the people at large of the opposite power, as an overture of reconciliation.

There was a day, when even this step, from our then acknowledged parent state, might have been accepted with joy and gratitude; but that day, sir, is past irrevocably. The repeated insolent rejection of our sincere and sufficiently humble petitions, the unprovoked commencement of hostilities; the barbarous inhumanity which has marked the provocation of the war on your part, in its several stages; the insolence which displays itself on every petty advantage; the cruelties which have been exercised on those unhappy men whom the fortune of war has thrown into your hands—all these are insuperable bars to the very idea of concluding a peace with Great Britain, on any other conditions than the most absolute and perfect independence. To the congress of the United States of America, therefore, all proposals of this kind are to be addressed; and you will give me leave, sir, to say that the present mode bears too much the marks of an insidious design to disunite the people, and to lull us into a state of quietude, and negligence of the necessary preparations for the approaching campaign. If this be the real design, it is fruitless. If peace be really the object, let your proposals be properly addressed to the proper power, and your negotiations be honorably conducted, we shall then have some prospect of (what is the most ardent wish of every honest American,) a lasting and honorable peace. The British nation may then, perhaps, find us as affectionate and valuable friends, as we now are fatal and determined enemies, and will derive from that friendship, more solid and real advantage, than the most sanguine can expect from conquest.

I am, sir, your humble servant,

J. TRUMBULL.

WILLIAM TAYLOR, esq.

*"Instructions from the freeholders of Cumberland county, (Virginia.)"*

*"To John Mayo and William Fleming, gentlemen, their delegates, March, 1775."*

"We, the freeholders of Cumberland county, having elected you to represent us in a provincial convention, to be held in the town of Richmond, on Monday the 20th of this instant, and being convinced that the safety and happiness of British America depend on the unanimity, firmness, and joint efforts of all the colonies, we expect you will, on your parts, let your measures be as much for the common safety, as the peculiar interests of this colony will permit; and that you, in particular, comply with the recommendation of the continental congress, in appointing delegates to meet in the city of Philadelphia, in May next.

"The means of constitutional legislation in this colony, being now interrupted, and entirely precarious, and being convinced that some rule is necessary, for speedily putting the colony in a state of defence, we, in an especial manner, recommend this matter to your consideration in convention; and you may depend that any general tax, by that body imposed, for such purposes, will be cheerfully submitted to, and paid by the inhabitants of this county.

"We desire that you will consider the *Bostonians* as suffering in the *common cause*, and cheerfully join in their support to the utmost of your power:

"That you will direct the deputies to congress, on the part of this colony, to use their best endeavors to establish a trade between the colonies; and to procure a quantity of *gun-powder*, and a number of cotton and wool cards from the northward, or elsewhere.

"We desire further, that you will not depart from the association formed by the continental congress in September last, but will strictly adhere to it in every particular."

*Forces of America.*

The following was the estimate which general Gage laid before the British ministry in 1775, of the force which could be raised in the colonies, and maintained in the field.

New England . . . . .	37,000
New York . . . . .	11,000
Pennsylvania and Jersey . . . . .	16,000
Virginia and Maryland . . . . .	13,000
Carolinias . . . . .	5,000
	<hr/>
	82,000

*The speech of the right hon. the earl of Chatham, in the house of lords, January 20th, 1775, on a motion for an address to his majesty, to give immediate orders for removing his troops from Boston, forthwith, in order to quiet the minds and take away the apprehensions of his good subjects in America.*

*My lords*—After more than six weeks possession of the papers now before you, on a subject so momentous, at a time when the fate of this nation hangs on every hour, the ministry have at length condescended to submit, to the consideration of the house, intelligence from America, with which your lordships and the public have been long and fully acquainted.

The measures of last year, my lords, which have produced the present alarming state of America

were founded upon misrepresentation—they were violent, precipitate and vindictive. The nation was told, that it was only a faction in Boston, which opposed all lawful government; that an unwarrantable injury had been done to private property, for which the justice of parliament was called upon, to order reparation;—that the least appearance of firmness would awe the Americans into submission, and upon only passing the Rubicon we should be fine clad victor.

That the people might choose their representatives, under the impression of those misrepresentations, the parliament was precipitately dissolved. Thus the nation was to be rendered instrumental in executing the vengeance of administration on that injured, unhappy, traduced people.

But now, my lords, we find, that instead of suppressing the opposition of the faction at Boston, these measures have spread it over the whole continent. They have united that whole people; by the most indissoluble of all bands—intolerable wrongs. The just retribution is an indiscriminate, unmerciful proscription of the innocent with the guilty, unheard and untried. The bloodless victory, is an impotent general, with his dishonored army, trusting solely to the pick-axe and the spade, for security against the just indignation of an injured and insulted people.

My lords, I am happy that a relaxation of my infirmities permits me to seize this earliest opportunity of offering my poor advice to save this unhappy country, at this moment tottering to its ruin. But as I have not the honor of access to his majesty, I will endeavor to transmit to him, through the constitutional channel of this house, my ideas on American business, to rescue him from the misadvice of his present ministers. I congratulate your lordships that that business is at last entered upon, by the noble lord's (lord Dartmouth) laying the papers before you. As I suppose your lordships are too well apprised of their contents, I hope I am not premature in submitting to you my present motion (reads the motion.) I wish my lords not to lose a day in this urging present crisis: An hour now lost in allaying the ferment in America, may produce years of calamity: but, for my own part, I will not desert for a moment the conduct of this mighty business from the first to the last, unless nailed to my bed by the extremity of sickness; I will give it unremitting attention: I will knock at the door of this sleeping, or confounded ministry, and will rouse them to a sense of their important danger. When I state the importance of the colonies to this

country, and the magnitude of danger hanging over this country from the present plan of misadministration practised against them, I desire not to be understood to argue for a reciprocity of indulgence between England and America: I contend not for indulgence, but justice, to America; and I shall ever contend that the Americans owe obedience to us, in a limited degree; they owe obedience to our ordinances of trade and navigation; but let the line be skilfully drawn between the objects of those ordinances, and their private, internal property: Let the sacredness of their property remain inviolate; let it be taxable only by their own consent, given in their provincial assemblies, else it will cease to be property: As to the metaphysical refinements attempting to shew that the Americans are equally free from obedience to commercial restraints, as from taxation for revenue, as being unrepresented here, I pronounce them futile, frivolous and groundless.—Property is, in its nature, single as an atom. It is indivisible, can belong to one only, and cannot be touched but by his own consent. The law that attempts to alter this disposal of it annihilates it.

When I urge this measure for recalling the troops from Boston, I urge it on this pressing principle—that it is necessarily preparatory to the restoration of your prosperity. It will then appear that you are disposed to treat amicably and equitably, and to consider, revise and repeal, if it should be found necessary, as I affirm it will, those violent acts and declarations which have disseminated confusion throughout your empire. Resistance to your acts, was as necessary as it was just; and your vain declarations of the omnipotence of parliament, and your imperious doctrines of the necessity of submission, will be found equally impotent to convince or enslave your fellow subjects in America, who feel that tyranny, whether ambitioned by an individual part of the legislature, or by the bodies which compose it, is equally intolerable to British principles.

As to the means of enforcing this thralldom, they are found to be as ridiculous and weak in practice, as they were unjust in principle: Indeed I cannot but feel, with the most anxious sensibility, for the situation of general Gage and the troops under his command; thinking him, as I do, a man of humanity and understanding, and entertaining, as I ever shall, the highest respect, the warmest love, for the British troops. Their situation is truly unworthy, pent up, pining in inglorious inactivity. They are an army of impotence. You may call them an army of safety and of guard; but they are in truth an ar-

my of impotence and contempt:—and to render the folly equal to the disgrace, they are an army of irritation. I do not mean to censure the inactivity of the troops. It is a prudent and necessary inaction. But it is a miserable condition, where disgrace is prudence; and where it is necessary to be contemptible. This tameness, however disgraceful, ought not to be blamed, as I am surprised to hear is done by these ministers. The first drop of blood, shed in a civil and unnatural war, would be an immedicable vulnus. It would entail hatred and contention between the two people, from generation to generation. Woe be to him who sheds the first, the unexpiable drop of blood in an impious war, with a people contending in the great cause of public liberty. I will tell you plainly, my lords, no son of mine nor any one over whom I have influence, shall ever draw his sword upon his fellow subjects.

I therefore urge and conjure your lordships immediately to adopt this conciliatory measure. I will pledge myself for its immediately producing conciliatory effects, from its being well timed: But if you delay, till your vain hope of triumphantly dictating the terms shall be accomplished—you delay forever. And, even admitting that this hope, which in truth is desperate, should be accomplished, what will you gain by a victorious imposition of amity? You will be untrusted and unthanked. Adopt then the grace, while you have the opportunity of reconciliation, or at least prepare the way; allay the ferment prevailing in America, by removing the obnoxious hostile cause. Obnoxious and unserviceable; for their merit can be only inaction. "*Non dimicare estvincere.*" Their victory can never be by exertions. Their force would be most disproportionately exerted, against a brave, generous, and united people, with arms in their hands and courage in their hearts; three millions of people, the genuine descendants of a valiant and pious ancestry, driven to these deserts by the narrow maxims of a superstitious tyranny. And is the spirit of tyrannous persecution never to be appeased? Are the brave sons of those brave forefathers to inherit their sufferings, as they have inherited their virtues? Are they to sustain the inflictions of the most oppressive and unexampled severity, beyond the accounts of history or the description of poetry? "*Rhadamanthus habet durissima regna, castigatque auditque.*" So says the wisest statesman and politician. But the Bostonians have been condemned *unheard*. The indiscriminating hand of vengeance has lumped together innocent and guilty: with all the formalities of hostility, has

blocked up the town, and reduced to beggary and famine 30,000 inhabitants. But his majesty is advised that the union of America cannot last.—Ministers have more eyes than I, and should have more ears, but from all the information I have been able to procure, I can pronounce it a union solid, permanent and effectual. Ministers may satisfy themselves and delude the public with the reports of what they call commercial bodies in America. They are not commercial. They are your pickers and fakers; they live upon nothing, for I call commission nothing; I mean the ministerial authority for their American intelligence. The runners of government, who are paid for their intelligence. But these are not the men, nor this the influence to be considered in America, when we estimate the firmness of their union. Even to extend the question, and to take in the really mercantile circle, will be totally inadequate to the consideration. Trade indeed increases the wealth and glory of a country; but its real strength and stamina are to be looked for among the cultivators of the land. In their simplicity of life is founded the simplicity of virtue, the integrity and courage of freedom. Those true genuine sons of the earth are invincible; and they surround and hem in the mercantile bodies; even if those bodies, which supposition I totally disclaim, could be supposed disaffected to the cause of liberty. Of this—general spirit existing in the American nation, for so I wish to distinguish the real and genuine Americans from the pseudo-traders I have described: of this spirit of independence, animating the nation of America, I have the most authentic information. It is not new among them; it is, and ever has been their established principle, their confirmed persuasion; it is their nature and their doctrine. I remember some years ago when the repeal of the stamp act was in agitation, conversing in a friendly confidence with a person of undoubted respect and authenticity on this subject; and he assured me with a certainty which his judgment and opportunity gave him, that these were the prevalent and steady principles of America: That you might destroy their towns, and cut them off from the superfluities, perhaps the conveniencies of life, but that they were prepared to despise your power, and would not lament their loss, whilst they had, *what*, my lords?—Their woods and liberty. The name of my authority, if I am called upon, will authenticate the opinion irrefragably.

If illegal violences have been, as it is said, committed in America, prepare the way, open a door of possibility, for acknowledgment and satisfaction.

But proceed not to such coercion, such proscription: Cease your indiscriminate inflictions; amerce not thirty thousands, oppress not three millions, for the faults of forty or fifty. Such severity of injustice must forever render incurable the wounds you have given your colonies; you irritate them to unappeasable rancour. What though you march from town to town, and from province to province?—Though you should be able to force a temporary and local submission, which I only suppose, not admit, how shall you be able to secure the obedience of the country you leave behind you in your progress? To grasp the dominion of 1,800 miles of continent, populous in valor, liberty and resistance? This resistance to your arbitrary system of taxation might have been foreseen; it was obvious from the nature of things and of mankind; and above all, from the whiggish spirit flourishing in that country. The spirit which now resists your taxation in America, is the same which formerly opposed, and with success opposed, loans, benevolences, and ship money in England—the same spirit which called all England on its legs, and by the bill of rights vindicated the English constitution—the same spirit which established the great fundamental and essential maxim of your liberties, that no subject shall be taxed, but by his own consent. If your lordships will turn to the politics of those times, you will see the attempts of the lords to poison this inestimable benefit of the bill, by an insidious proviso: You will see their attempts defeated, in their conference with the commons, by the decisive arguments of the ascertainers and maintainers of our liberty; you will see the thin, inconclusive and fallacious stuff of those enemies to freedom, contrasted with the sound and solid reasoning of serjeant Glanville and the rest, those great and learned men who adorned and enlightened this country, and placed her security on the summit of justice and freedom. And whilst I am on my legs, and thus do justice to the memory of those great men, I must also justify the merit of the living by declaring my firm and fixed opinion, that such a man exists this day [looking towards lord Camden]; this glorious spirit of whiggism animates three millions in America, who prefer poverty with liberty, to golden chains and sordid affluence; and who will die in defence of their rights, as men—as freemen. What shall oppose this spirit? aided by the congenial flame glowing in the breast of every whig in England, to the amount, I hope, of at least double the American numbers! Ireland they have to a man. In that country, joined as it is with the cause of the colonies, and placed at their

head, the distinction I contend for, is and must be observed.

*My lords*—This country superintends and controuls their trade and navigation; but they ~~TAX THEMSELVES~~. And this distinction between external and internal controul, is sacred and insurmountable; it is involved in the abstract nature of things. Property is private, individual, absolute. Trade is an extended and complicated consideration; it reaches as far as ships can sail, or winds can blow. It is a great and various machine—To regulate the numberless movements of its several parts, and combine them into effect for the good of the whole, requires the superintending wisdom and energy of the supreme power in the empire. But this supreme power has no effect towards internal taxation—for it does not exist in that relation. There is no such thing, no such idea in this constitution, as a supreme power operating upon property.

Let this distinction then remain forever ascertained. Taxation is theirs, commercial regulation is ours. As an American, I would recognize to England her supreme right of regulating commerce and navigation: As an Englishman, by birth and principle, I recognize to the Americans their supreme, unalienable right in their property; a right which they are justified in the defence of, to the extremity. To maintain this principle is the common cause of the whigs on the other side of the Atlantic, and on this. 'Tis liberty to liberty engaged, that they will defend themselves, their families and their country. In this great cause they are immoveably allied. It is the alliance of God and nature—immutable, eternal, fix'd as the firmament of Heaven! To such united force, what force shall be opposed! What, my lords, a few regiments in America, and 17 or 18,000 men at home! The idea is too ridiculous to take up a moment of your lordships time—nor can such a national principled union be resisted by the tricks of office or ministerial manœuvres. Laying papers on your table, or counting noses on a division, will not avert or postpone the hour of danger. It must arrive, my lords, unless these fatal acts are done away; it must arrive in all its horrors: And then these boastful ministers, spite of all their confidence and all their manœuvres, shall be forced to hide their heads. But it is not repealing this act of parliament, or that act of parliament—it is not repealing a *PIECE OF PARCEMENT* that can restore America to your bosom. You must repeal her fears and her resentments, and you may then hope for her love and gratitude. But now insulted with

an armed force posted in Boston, irritated with an hostile array before her eyes, her concessions, if you could force them, would be auspicious and insecure: They will be, *irato animo*: They will not be the sound, honorable pactions of freemen; they will be the dictates of fear and the extortions of force. But it is more than evident that you cannot force them, principled and united as they are, to your unworthy terms of submission. It is impossible. And when I hear general Gage censured for inactivity, I must retort with indignation on those whose intemperate measures and improvident counsels have betrayed him into his present situation. His situation reminds me, my lords, of the answer of a French gen. in the civil wars of France, Monsieur Turenne, I think. The queen said to him, with some peevishness, I observe that you were often very near the prince during the campaign, why did you not take him?—The Mareschal replied with great coolness—*J'avois grand peur, qui Monsieur le prince ne me pris*.—I was very much afraid the prince would take me.

When your lordships look at the papers transmitted us from America, when you consider their decency, firmness and wisdom, you cannot but respect their cause, and wish to make it your own—for myself I must declare and avow that, in all my reading and observation, and it has been my favorite study—I have read Thucydides, and have studied and admired the master states of the world—that for solidity and reasoning, force of sagacity, and wisdom of conclusion, under such a complication of different circumstances, no nation or body of men can stand in preference to the general congress at Philadelphia.—I trust it is obvious to your lordships, that all attempts to impose servitude on such men, to establish despotism over such a mighty continental nation—must be vain—must be futile.—We shall be forced ultimately to retrace, whilst we can, not when we must. I say we must necessarily undo these violent and oppressive acts:—they must be repealed—you will repeal them: I pledge myself for it you will in the end repeal them: I stake my reputation on it: I will consent to be taken for an idiot if they are not finally repealed.—Avoid then this humiliating, disgraceful necessity.—With a dignity becoming your exalted situation, make the first advances to concord, to peace and happiness, for that is your true dignity, to act with prudence and with justice. That you should first concede is obvious from sound and rational policy. Concession comes with better grace and more salutary effect from the superior power. It reconciles superiority of power with the

feelings of men; and establishes solid confidence in the foundation of affection and gratitude. So thought the wisest poet, and perhaps the wisest men in political sagacity, the friend of Mæcenas, and the eulogist of Augustus. To him the adopted son and successor of the first Cæsar, to him, the master of the world, he wisely urged this conduct of prudence and dignity,

*Tuque prior, &c. VIRGIL.*

Every motive, therefore, of justice and of policy, of dignity and of prudence, urges you to allay the ferment in America, by a removal of your troops from Boston, by a repeal of your acts of parliament, and by demonstration of amicable dispositions towards your colonies. On the other hand, every danger and every hazard, impend to deter you from perseverance in your present ruinous measures: Foreign war hanging over your heads by a slight and brittle thread: France and Spain watching your conduct and waiting for the maturity of your errors; with a vigilant eye to America and the temper of your colonies, more than to their own concerns, be they what they may.

To conclude, my lords, if the ministers thus persevere in misadvising and misleading the king, I will not say that they can alienate his subjects from his crown, but I will affirm that they will make the crown not worth his wearing: I shall not say that the king is betrayed, but I will pronounce

THAT THE KINGDOM IS UNDOING.

#### A SERMON

On the present situation of AMERICAN AFFAIRS:  
Preached in CHRIST-CHURCH, June 23, 1775, at the request of the officers of the third battalion of the city of Philadelphia, and district of Southwark—

By WILLIAM SMITH, D. D. Provost of the college in that city.

The Lord God of Gods—the Lord God of Gods—He knoweth, and Israel he shall know, if it be in rebellion, or in transgression against the Lord—save us not this day—*Joshua*, xiii. 22.

These words, my brethren, will lead us into a train of reflections, wholly suitable to the design of our present meeting; and I must beg your indulgence till I explain, as briefly as possible, the solemn occasion on which they were first delivered, hoping the application, I may afterwards make of them, may fully reward your attention.

The two tribes of Reuben and of Gad, and the half tribe of Manasseh, had chosen their inheritance, on the eastern side of Jordan, opposite to the other tribes of Israel. And although they knew that this situation would deprive them of some

privileges which remained with their brethren on the other side, and particularly that great privilege of having the place of the altar and tabernacle of God among them; yet, as the land of Canaan was judged too small for all the twelve tribes, they were contented with the possession they had chosen.—And thus they spoke to Moses—

"It is a land of cattle, and thy servants have much cattle. Wherefore, if we have found grace in thy sight let this land be given to us for a possession, and we will build sheepfolds here for our cattle, and cities for our little ones; and we ourselves will go ready armed before our brethren, the children of Israel—and will not return into our houses, until they have inherited every man his inheritance."—

"And Moses said unto them—If you will do this thing, and will go all of you armed over Jordan before the Lord, until he hath driven out his enemies from before him; and the land (of Canaan) be subdued (for your brethren;) then afterwards ye shall return, and this land (of Gilead) shall be your possession before the Lord."<sup>\*</sup>

This, then, was the great original contract, under which these two tribes and a half were allowed to separate from the rest, and to dwell on the other side of Jordan. They were to assist their brethren in their necessary wars, and to continue under one government with them—even that of the great Jehovah himself—erecting no separate altar but coming to perform their sacrifices at that one altar of SHILON, where the Lord had vouchsafed to promise his special presence.

Though this subjected them to inconveniences, yet as uniformity of worship and the nature of their theocracy required it, they adhered faithfully to their contract.

In the fear of God, they bowed themselves at his altar, although not placed in their own land; and, in love to their brethren, they supported them in their wars, "till there stood not a man of all their enemies before them;" and at last, JOSHUA, their great leader, having no farther need of their assistance, gave them this noble testimony—That they had, in all things obeyed his voice as their general, and faithfully performed all they had promised to Moses the servant of God. Wherefore, he blessed them, and dismissed them to return to their own land "with much riches, and with cattle, and with silver, and with gold, and with much raiment."

No sooner, therefore, had they entered their own

<sup>\*</sup> Numb. 32.

country, "that is, in the fullness of gratitude, on the banks of Jordan, at the common passage over against Canaan, they built an high or great altar, that it might remain an eternal monument of their being of one stock, and entitled to the same civil and religious privileges, with their brethren of the other tribes.

But this their work of piety and love was directly misconstrued. The cry was immediately raised against them. The zealots of that day scrupled not to declare them rebels against the living God, violators of his sacred laws and theocracy, in setting up an altar against his holy altar, and therefore the whole congregations of the brother-tribes, that dwelt in Canaan, gathered themselves together, to go up to war against their own flesh and blood, in a blind transport of unrighteous zeal, purposing to extirpate them from the face of the earth, as enemies to God and the commonwealth of Israel!

In that awful and important moment (and, oh! my God that the example could be copied among the brother-tribes of our Israel, in the parent land) I say, in that awful and important moment, some milder and more benevolent men there were, whose zeal did not so far transport them, but that, before they unsheathed the sword to plunge it with unhallowed hand into the bowels of their brethren, they thought it justice first to enquire into the charge against them. And, for the glory of Israel, this peaceable and prudent council prevailed.

A most solemn embassy was prepared, at the head of which was a man of sacred character, and venerable authority, breathing the dictates of religion and humanity; Phinehas, the son of Eleazer, the high priest, accompanied with ten other chiefs or princes, one from each of the nine tribes as well as from the remaining half tribe of Manasseh.

Great was the astonishment of the Gileadites<sup>\*</sup> on receiving this embassy, and hearing the charge against them. But the power of conscious innocence is above all fear, and the language of an upright heart superior to all eloquence. By a solemn appeal to Heaven for the rectitude of their intentions, unpremeditated and vehement, in the words of my text, they disarmed their brethren of every suspicion.

"The Lord God of Gods," say they (in the fervency of truth, repeating the invocation) "the Lord God of Gods"—He that made the Heavens and the

<sup>\*</sup> The two tribes and a half are here briefly and generally denominated. Gileadites, from the name of the land they had chosen.

earth, who searcheth the hearts, and is acquainted with the most secret thoughts of all men—"He knoweth, and all Israel shall know," by our unshaken constancy in the religion of our fathers—that this charge against us is utterly false.

Then turning from their brethren, with unspokeable dignity of soul and clearness of conscience, they address the Almighty Jehovah himself—

Oh thou sovereign Ruler of the universe—our God and our Fathers' God—"if it be in rebellion or in transgression against thee," that we have raised this monument of our zeal for the commonwealth of Israel—"save us not this day!" If the most distant thought has entered our hearts of erecting an independent altar; if we have sought, in one instance, to derogate from the glory of that sacred altar which thou hast placed among our brethren beyond Jordan, as the common bond of union and worship among all the tribes of Israel—let not this day's sun descend upon us, till thou hast made us a monument of thine avenging justice, in the sight of the surrounding world!

After this astonishing appeal to the great God of Heaven and earth, they proceed to reason with their brethren; and tell them that, so far from intending a separation, either in government or religion, this altar was built with a direct contrary purpose—"That it might be a witness between us and you, and our generations after us, that your children may not say to our children, in time to come, ye have no part in the Lord." We were afraid lest, in some future age, when our posterity may cross Jordan to offer sacrifices in the place appointed, your posterity may thrust them from the altar, and tell them that because they live not in the land where the Lord's tabernacle dwelleth, they are none of his people, nor entitled to the Jewish privileges.

But while this altar stands, they shall always have an answer ready. They will be able to say—"Behold the pattern of the altar of the Lord which our fathers made." If our fathers had not been of the seed of Israel, they would not have fondly copied your customs and models. You would not have beheld in Gilead, an altar, in all things an imitation of the true altar of God, which is in Shiloh, except only that ours is an high "or great altar to see" from far. And this may convince you that it was not intended as an altar of sacrifice (for then it would have been but three cubits in height, as our law directs) but as a monumental altar, to instruct our generations forever, that they are of the same

pedigree with yourselves, and entitled to the same civil and religious privileges.

This noble defence brought an immediate reconciliation among the discordant tribes. "The words, (when reported) pleased the children of Israel—they blessed God together" for preventing the effusion of kindred blood, "and did not go up to destroy the land where their brethren, the children of Reuben\* and Gad, dwell."

The whole history of the bible cannot furnish a passage more instructive than this, to the members of a great empire, whose dreadful misfortune it is to have the evil demon of civil or religious discord gone forth among them. And would to God, that the application I am now to make of it could be delivered in accents louder than thunder, till they have pierced the ear of every Briton; and especially their ears who have meditated war and destruction against their brother-tribes of Reuben and Gad, in this our AMERICAN GILEAD. And let me add—would to God too that we, who this day consider ourselves in the place of those tribes, may, like them, be still able to lay our hands on our hearts in a solemn appeal to the God of Gods, for the rectitude of our intentions towards the whole commonwealth of our BRITISH ISRAEL. For, called to this sacred place, on this great occasion, I know it is your wish that I should stand superior to all partial motives, and be found alike unbiassed by favor or by fear. And happy it is that the parallel, now to be drawn, requires not the least sacrifice either of truth or virtue!

Like the tribes of Reuben and Gad, we have chosen our inheritance, in a land separated from that of our fathers and brethren, not indeed by a small river, but an immense ocean. This inheritance we likewise hold by a plain original contract, entitling us to all the natural and improvable advantages of our situation, and to a community of privileges with our brethren, in every civil and religious respect, except in this, that the throne or seat of empire, that great altar at which the men of this world bow, was to remain among them.

Regardless of this local inconvenience, uncankered by jealousy, undepressed by fear, and cemented by mutual love and mutual benefits, we trod the path of glory with our brethren for an hundred years and more—enjoying a length of felicity

\*Though for brevity, the sacred text, in this and other places, only mentions Reuben and Gad, yet the half tribe of Manasseh is also supposed to be included.



scarce ever experienced by any other people.—Mindful of the hands that protected us in our youth, and submitting to every just regulation for appropriating to them the benefit of our trade—our wealth was poured in upon them from ten thousand channels, widening as they flowed, and making their poor to sing, and industry to smile, through every corner of their land. And as often as dangers threatened, and the voice of the British Israel called our brethren to the field, we left them not alone, but shared their toils and fought by their side, "till there stood not a man of all their enemies before them,"—Nay, they themselves testified on our behalf, that in all things we not only did our part, but more than our part for the common good, and they dismissed us home loaded with silver and with gold,\* in recompense for our extraordinary services.

So far you see the parallel holds good. But what high altars have we built to alarm our British Israel; and why have the congregations of our British Israel, and why have the congregations of our brethren gathered themselves together against us? why do their embattled hosts already cover our plains? will they not examine our case, and listen to our plea?

"The Lord God of Gods—he knows," and the whole surrounding world shall yet know, that whatever American altars we have built, far from intending to dishonor, have been raised with an express view to perpetuate the name and glory of that sacred altar, and seat of empire and liberty, which we left behind us, and wish to remain eternal among our brethren in the parent land.

Esteeming our relation to them our greatest felicity; adoring the Providence that gave us the same progenitors; glorying in this, that when the new world was to be portioned out among the kingdoms of the old, the most important part of this continent fell to the sons of a protestant and free nation; desirous of worshipping forever at the same altar with them; fond of their manners even to excess; enthusiasts to that sacred plan of civil and religious happiness, for the preservation of which they have sacrificed from age to age, maintaining, and always ready to maintain, at the risque of every thing that is dear to us, the most unshaken fidelity to our common sovereign, as the great centre of our union, and guardian of our mutual

\* The parliamentary reimbursements for our exertions in the late war, similar to what Joshua gave the two tribes and a half on the close of his wars.

rights—I say, with these principles and these views, we thought it our duty, to build up American altars, or constitutions, as nearly as we could, upon the great British model.

Having never sold our birth-right, we considered ourselves entitled to the privileges of our father's house—"to enjoy peace, liberty and safety;" to be governed, like our brethren, by our own laws, in all matters properly affecting ourselves, and to offer up our own sacrifices at the altar of British empire; contending that a forced devotion is idolatry, and that no power on earth has a right to come in between us and a gracious sovereign, to measure forth our loyalty, or to grant our property, without our consent.

These are the principles we inherited from Britons themselves. Could we depart from them, we should be deemed bastards and not sons, aliens and not brethren.

The altars therefore which we have built, are not high or rival altars to create jealousy, but humble monuments of our union and love, intended to bring millions, yet unborn, from every corner of this vast continent, to bend at the great parent altar of British liberty; venerating the country from which they sprung, and pouring their gifts into her lap when their countless thousands shall far exceed hers.

It was our wish that there should be an eternal "witness between our brethren and us," that if, at any future period, amid the shifting scenes of human interests and human affections, their children should say to our children—"Ye have no portion" in the birth-right of Britons, and to seek to push them from the common shrine of freedom, when they come to pay their homage there, they might always have an answer ready—"Behold the pattern of the altar which our fathers built." Behold your own religious and civil institutions, and then examine the frames of government and systems of laws raised by our fathers in every part of America? Could these have been such exact copies of your own, if they had not inherited the same spirit, and sprung from the same stock, with yourselves.

"In this respect, our plea is even stronger than that of the two tribes and a half. For, till an explanation was given, the height of their altar, like those of the heathen, who loved to sacrifice on lofty places, might create a suspicion of their 'lapsing into idolatry; either intending to worship other Gods, or the God of Israel in an unlawful place and manner,'"—BR. PATRICK.

Thus far you see the parallel yet holds good, and I think cannot be called a perversion of my text, if you will allow that the Supreme Power of an empire, whether theocratical, monarchic, or howsoever distributed, may be represented under the figure of one common altar, at which the just devotion of all the subjects is to be paid.

But it is said that we have of late departed from our former line of duty, and refused our homage at the great altar of British empire. And to this it has been replied, that the very refusal is the strongest evidence of our veneration for the altar itself. Nay, it is contended by those charged with this breach of devotion, that when, in the shape of unconstitutional exactions, violated rights and mutilated charters, they were called to worship idols, instead of the true divinity, it was in a transport of holy jealousy, that they dashed them to pieces, or whelmed them to the bottom of the ocean.

This is, in brief, the state of the argument on each side. And hence, at this dreadful moment, ancient friends and brethren stand prepared for events of the most tragic nature.

Here the weight of my subject almost overcomes me; but think not that I am going to damp that noble ardor which at this instant glows in every bosom present. Nevertheless, as from an early acquaintance with many of you, I know that your principles are pure, and your humanity only equalled by your transcendent love of your country, I am sure you will indulge the passing tear, which a preacher of the gospel of love must now shed over the scenes that lie before us—great and deep distress about to pervade every corner of our land! millions to be called from the peaceful labors by “the sound of the trumpet, and the alarm of war! Garments rolled in blood,” and even victory itself only yielding an occasion to weep over friends and relatives slain! These are melancholy prospects, and therefore you will feel with me the difficulties I now labor under—forsaken by my text, and left to lament alone that, in the parent land, no Phinehas has prevailed; no embassy\* of great or good men

\*It is acknowledged with gratitude that many great and exalted characters have pled the cause of America; and, previous to all coercive measures, advised an enquiry or hearing, similar to that for which Phinehas was appointed. What is here lamented, and will be long lamented, is that this council could not take place. If brethren could come together in such a temper as this, the issue could not fail to be for their mutual glory and mutual happiness.

has been raised, to stay the sword of destruction, to examine into the truth of our case, and save the effusion of kindred blood. I am left to lament that, in this sad instance, Jewish tenderness has put Christian benevolence to shame.

“Our brethren, the house of our fathers, even they have called a multitude against us. Had an enemy thus reproached us, then perhaps we might have borne it. But it was you, men our equals, our guides, our acquaintance, with whom we took sweet council and walked together into the house of God.” Or had it been for any essential benefit to the commonwealth at large, we would have laid our hands on our mouths, and bowed obedience with our usual silence. But, for *DIGNITY* and *SUPREMACY*! What are they when set in opposition to common utility, common justice, and the whole faith and spirit of the constitution? True dignity is to govern freemen, not slaves, and true supremacy is to excel in doing good.

It is time, and indeed more than time, for a great and enlightened people to make names bend to things, and ideal honor to practical safety?—Precedents and indefinite claims are surely things too nugatory to convulse a mighty empire. Is there no wisdom, no great and liberal plan of policy to re unite its members, as the sole bulwark of liberty and protestantism, rather than by their deadly strife to increase the importance of those states that are foes to freedom, truth and humanity? To devise such a plan, and to behold British colonies spreading over this immense continent, rejoicing in the common rights of freemen, and imitating the parent state in every excellence—is more glory than to hold lawless dominion over all the nations on the face of the earth!

But I will weary you no longer with fruitless lamentations concerning things that might be done. The question now is—since they are not done, must we tamely surrender any part of our birth-right, or of that great charter of privileges, which we not only claim by inheritance, but by the express terms of our colonization? I say, God forbid! For here, in particular, I wish to speak so plain that neither my own principles, nor those of the church to which I belong, be misunderstood.

Although, in the beginning of this great contest, we thought it not our duty to be forward in widening the breach, or spreading discontent; although it be our fervent desire to heal the wounds of the public, and to shew by our temper that we seek not to distress, but to give the parent state an opportunity

of saving themselves and saving us before it be too late, nevertheless, as we know that our civil and religious rights are linked together in one indissoluble bond, we neither have, nor seek to have, any interest separate from that of our country, nor can we advise a desertion of its cause. Religion and liberty must flourish or fall together in America. We pray that both may be perpetual.

A continued submission to violence is no tenet of our church. When her brightest luminaries, near a century past, were called to propagate the court doctrine of a dispensing power, above law—did they treacherously cry—"Peace peace," when there was no peace? Did they not magnanimously set their foot upon the line of the constitution, and tell majesty to its face that "they could not betray the public liberty," and that the monarch's only safety consisted "in governing according to the laws?" Did not their example, and consequent sufferings, kindle a flame that illuminated the land, and introduced that noble system of public and personal liberty, secured by the revolution? Since that period, have not the avowed principles of our greatest divines been against raising the church above the state; jealous of the national rights, resolute for the protestant succession, favorable to the reformed religion, and desirous to maintain the faith of toleration? If exceptions have happened, let no society of Christians stand answerable for the deviations, or corruptions, of individuals.

The doctrine of absolute non resistance has been fully exploded among every virtuous people. The free-born soul revolts against it, and must have been long debased, and have drank in the last dregs of corruption, before it can brook the idea "that a whole people injured may, 'in no case,' recognise their trampled majesty." But to draw the line, and say where submission ends and resistance begins, is not the province of the ministers of Christ, who has given no rule in this matter, but left it to the feelings and consciences of the injured. For, when

\*The author, in a sermon first published twenty years ago, on I. Pet. ii. 17, delivered his sentiments fully on this point—in the following words, viz— "It would be absurd to argue as some have done, that the Apostle here meant to enjoin a *continued submission* to violence—The love of mankind, and the fear of God, those very principles, from which we trace the divine original of just government, will lead us, by all probable means, to resist every attempt to enslave the free-born soul, and oppose the righteous will of God by defeating the happiness of men. Resistance, however, is to be a last resource, and none but the majority of a whole people, can determine in what cases it is necessary. In the scriptures, therefore, obedience is rightly

pressures and sufferings come, when the weight of power grows intolerable, a people will fly to the constitution for shelter; and, if able, will resume that power which they never surrendered, except so far as it might be exercised for the common safety. Pulpit-casuistry is too feeble to direct or controul here. God, in his own government of the world, never violates freedom; and his scriptures themselves would be disregarded, or considered as perverted, if brought to belie his voice, speaking in the hearts of men.

The application of these principles, my brethren, is now easy and must be left to your own consciences and feelings. You are now engaged in one of the grandest struggles, to which freemen can be called. You are contending for what you conceive to be your constitutional rights, and for a final settlement of the terms upon which this country may be perpetually united to the parent state.

Look back, therefore, with reverence look back, to the times of ancient virtue and renown. Look back to the mighty purposes, which your fathers had in view, when they traversed a vast ocean, and planted this land. Recall to your minds their labors, their toils, their perseverance, and let a divine spirit animate you in all your actions.

Look forward also to distant posterity. Figure to yourselves millions and millions to spring from your loins, who may be born freemen or slaves, as Heaven shall now approve or reject our councils. Think that on you it may depend, whether this great country, in ages hence, shall be filled and adorned with a virtuous and enlightened people, enjoying liberty and all its concomitant blessings, together with the religion of Jesus, as it flows uncorrupted from his holy oracles, or covered with a race of men more contemptible than the savages that roam the wilderness, because they once knew the things which belong to their happiness and peace, but suffered them to be hid from their eyes.

And while you thus look back to the past, and forward to the future, fail not, I beseech you, to look up to "the God of Gods—the rock of your salvation. As the clay in the potter's hands," so are the nations of the earth in the hands of him,

inculcated in general terms. For a people may sometimes imagine grievances they do not feel, but will never miss to feel and complain of them where they really are, unless their minds have been gradually prepared for slavery by absurd tenets."

the everlasting JEROME!—he lifteth up, and he casteth down—He resisteth the proud and giveth grace to the humble—He will keep the feet of his saints—the wicked shall be silent in darkness, and by strength shall no man prevail.

The bright prospects of the gospel; a thorough veneration of the Saviour of the world; a conscientious obedience to his divines laws; faith in his promises, and the steadfast hope of immortal life through him, these only can support a man in all times of adversity as well as prosperity. You might more easily “strike fire out of ice,” than stability or magnanimity out of crimes. But the good man, he who is at peace with the God of all peace, will know no fear but that of offending him, whose hand can cover the righteous “so that he needs not fear “the arrow that flieth by day, nor the destruction “that wasteth at noon-day; for a thousand shall “fall beside him, and ten thousand at his right “hand, but it shall not come nigh to him; for he “shall give his angels charge over him to keep “him in all his ways.”

On the omnipotent God, therefore, through his blessed Son, let your strong confidence be placed; but do not vainly expect that every day will be to you a day of prosperity or triumph. The ways of Providence lie through mazes, too intricate for human penetration. Mercies may often be held forth to us in the shape of sufferings; and the vicissitudes of our fortune, in building up the American fabric of happiness and glory, may be various and chequered.

But let not this discourage you. Yes, rather let it animate you with a holy fervor—a divine enthusiasm—ever persuading yourselves that the cause of virtue and freedom is the cause of God upon earth; and that the whole theatre of human nature does not exhibit a more august spectacle than a number of freemen, in dependence upon Heaven, mutually binding themselves to encounter every difficulty and danger in support of their native and constitutional rights, and for transmitting them holy and unviolated to their posterity.

It was this principle that inspired the heroes of ancient times; that raised their names to the summit of renown, and filled all succeeding ages with their unspotted praise. It is this principle too that must animate your conduct, if you wish your names to reach future generations, conspicuous in the roll of glory; and so far as this principle leads you, be prepared to follow—whether to life or to death.

While you profess yourselves contending for liberty, let it be with the temper and dignity of freemen, undaunted and firm, but without wrath or vengeance, so far as grace may be obtained to assist the weakness of nature. Consider it as a happy circumstance, if such a struggle must have happened, that God hath been pleased to postpone it to a period, when our country is adorned with men of enlightened zeal, when the arts and sciences are planted among us to secure a succession of such men; when our morals are not far tainted by luxury, profusion or dissipation; when the principles that withstood oppression, in the brightest era of the English history, are ours as it were by peculiar inheritance; and when we stand upon our own ground, with all that is dear around us, animating us to every patriotic exertion. Under such circumstances and upon such principles, what wonders, what achievements of true glory, have not been performed?

For my part, I have long been possessed with a strong and even enthusiastic persuasion that Heaven has great and gracious purposes towards this continent, which no human power or human device shall be able finally to frustrate. Illiberal or mistaken plans of policy may distress us for a while, and perhaps sorely check our growth; but if we maintain our own virtue; if we cultivate the spirit of liberty among our children; if we guard against the snares of luxury, venality and corruption, the GENIUS of AMERICA will still rise triumphant, and that with a power at last too mighty for opposition. This country *will be free*—say, for ages to come, a chosen seat of freedom, arts, and heaven's knowledge; which are now either drooping or dead in most countries of the old world.

To conclude, since the strength of all public bodies, under God, consists in their union, bear with each other's infirmities, and even varieties of sentiments, in things not essential to the main point. The tempers of men are cast in various moulds. Some are quick and feelingly alive in all their mental operations, especially those which relate to their country's weal, and are therefore ready to burst forth into flame upon every alarm. Others again, with intentions alike pure, and a clear unquenchable love of their country, too steadfast to be damped by the mists of prejudice, or worked up into conflagration by the rude blasts of passion, think it their duty to weigh consequences, and to deliberate fully upon the probable means of obtaining public ends. Both those kinds of men should bear with each other; for both are friends to their country.

One thing further let me add, that, without order and just *subordination*, there can be no union in public bodies. However much you may be equals on other occasions, yet all this must cease in an united and associated capacity; and every individual is bound to keep the place and duty assigned him, by ties far more powerful over a man of virtue and honor, than all the other ties which human policy can contrive. It had been better never to have lifted a voice in your country's cause, than to betray it by want of union; or to leave worthy men, who have embarked their all for the common good, to suffer, or stand unassisted.

Lastly, by every method in your power, and in every possible case, support the *LAWs* of your country. In contest for liberty, think what a crime it would be, to suffer one *freeman* to be insulted, or wantonly injured in his liberty, so far as by your means it may be prevented.

Thus animated and thus acting—We may then *sing* with the prophet—

"Fear not, O land! be glad and rejoice, for the Lord will do great things. Be not afraid, ye beasts of the field, for the pastures of the wilderness do spring—The tree beareth her fruit—the fig-tree and the vine yield their fruit."

Thus animated and thus acting—we may likewise *pray* with the prophet—

"O Lord be gracious unto us—we have waited for thee. Be thou our arm every morning, our salvation also in time of trouble. Some trust in chariots and some in horses, but we will remember the name of the Lord our God—O thou hope of Israel, the Saviour thereof in time of need—thou art in the midst of us and we are called by thy name—*LEAVE US NOT*. Give us *one* heart and *one* way, that we may fear thee forever, for the good of ourselves and our children after us—We looked for peace but no good came; and for a time of health, but behold we are in trouble—Yet will we trust in the Lord forever; for in the Lord Jehovah is everlasting strength—He will yet bind up the broken hearted, and comfort those that mourn—even so, oh! our God, do thou comfort and relieve them, that so the bones which thou hast broken may yet rejoice. Inspire us with a high and commanding sense of the value of our constitutional rights: may a spirit of wisdom and virtue be poured down upon us all; and may our representatives, those who are delegated to *devise* and appointed to *execute* public measures, be

directed to such, as thou in thy sovereign goodness shall be pleased to render effectual for the salvation of a great empire, and re-uniting all its members in one sacred bond of harmony and public happiness! Grant this, oh father, for thy son Jesus Christ's sake; to whom, with thee and the holy Spirit, one God, be glory, honor and power now and forever! AMEN.

ANNAPOLIS, 1775.

In provincial convention, August 7, 1775, the following memorial of JAMES CHRISTIE, jun. of Baltimore town, merchant, was read—

To the honorable the delegates of the freemen of the province of Maryland, in convention now assembled.

The memorial of James Christie, jun. of Baltimore county—

SHEWETH—That your memorialist did, on the 22d day of February last, write the letter, a copy of which is hereunto annexed, to his friend and cousin-german, lieutenant colonel Christie, in the island of Antigua: That, at the time of writing the said letter, your memorialist unfortunately could not approve of the measures then pursued in this province, as a petition from the hon. continental congress was then lying at the foot of the throne of Great Britain, the result of which was not at that time known in America.

That the said letter, having been intercepted by means, to your memorialist altogether unknown, was, on the 13th of July instant, laid before the committee of Baltimore county, who came to such resolutions on the same as will appear to this convention, by a copy of the proceedings hereunto annexed: That, in pursuance of the said resolutions, your memorialist has already suffered a painful imprisonment, and hath paid to the guard appointed by the committee, the sum of thirty-one pounds, seventeen shillings and six pence current money, as will appear by the receipt for the same, ready to be produced.

That, by a subsequent resolution of the said committee on the 24th instant, the said guard was discharged, on the application of your memorialist for that purpose, upon your memorialist's giving an obligation, with five securities, not to depart the province without leave of the said committee or this convention. And your memorialist presumes, with all deference, to say, that the letter in question, the contents of which has excited so much uneasiness in the minds of the good people of this province, could not be productive of any

ill effect, being wrote by a private individual to his friend and relation, a person who had not the power, if he had the inclination, and who, from regard to his own private interest, and from the ties of blood (his wife, family and fortune being in this country) cannot be supposed to be active in devising measures to crush the liberties thereof; and in the most solemn manner your memorialist avers, that he never harbored a wish to introduce a military force into this province for the purpose of enslaving the inhabitants thereof. And your memorialist begs leave to add, that he is extremely sorry that his private opinion should have given any offence; he was far from intending any; he considered himself as writing to a friend in confidence, and had no expectation or wish, that such private opinions would ever appear in public, or be productive of any public measures whatever.

That the said committee having referred all further proceedings on your memorialist's case to the gentlemen delegated by this province to the continental congress, and they having referred the same to the consideration of this convention, obliges your memorialist to make this application, humbly to request that this honorable convention will consider your memorialist's case, and discharge your memorialist and his securities from the said obligation, and also grant permission to your memorialist to depart the province with all convenience, without molestation in person or property.

Your memorialist, relying on the wisdom and humanity of this honorable convention, most cheerfully submits his case to their decision, humbly praying,

That the blessings of peace and tranquility may be restored to every part of the British empire; that the rights and privileges of America may be established on a firm and lasting basis, and a speedy and honorable reconciliation take place between the parent state and her colonies, is the sincere wish of your memorialist.

JAMES CHRISTIE, jun.

Baltimore, July 27, 1775.

And upon reading the letter of the said James Christie therein referred to, dated the 22d of February, 1775, to Gabriel Christie, lieut. colonel of the 60th regiment, in which the said Christie represented the inhabitants of that town as concerned in measures, in his opinion, treasonable and rebellious, and that a number of soldiers would keep them very quiet, the same was considered by

this convention, and thereupon it is *resolved*, That the said James Christie, by the said letter, hath manifested a spirit and principle altogether inimical to the rights and liberties of America: That the said James Christie, by insinuating the necessity of introducing a military force into this province, has manifested an inveterate enmity to the liberties of this province in particular, and of British America in general.

Therefore, *resolved*, That the said James Christie is and ought to be considered as an enemy to America, and that no person trade, deal, or barter with him hereafter, unless for necessaries and provisions, or for the sale or purchase of any part of his real or personal estate, of which he may be at this time seized or possessed.

*Resolved*, That the said James Christie be expelled and banished this province forever, and that he depart this province before the first day of September next.

*Resolved*, That the said James Christie deposit in the hands of this convention, or into the hands of such person or persons as they shall appoint, the sum of five hundred pounds sterling, to be expended occasionally towards his proportion of all charges and expenses incurred or to be incurred for the defence of America, during the present contest with Great Britain; the overplus, if any, after a reconciliation shall happily be effected, to be restored to the said James Christie.

*Resolved*, That no punishment be inflicted on the said James Christie, other than what is now directed by this convention.

*Resolved*, That the five hundred pounds sterling is to be paid in sterling, or other money at par.

*Resolved*, That the resolutions of the committee of Baltimore county are, by the determinations of this convention superseded, and that therefore the said James Christie may negotiate his bills of exchange; and that he may assign, or he, or any person for him, may collect the debts due to him, in the same manner as other persons may negotiate their bills of exchange, assign or collect their debts.

Signed, by order of the convention,

G. DUVALL, clerk.

*The speech of EDMUND BUNKER, esq. on moving his resolutions for conciliation with the colonies, March 22, 1775.*

I hope, sir, that, notwithstanding the austerity of the chair, your good nature will incline you to

some degree of indulgence towards human frailty. You will not think it unnatural, that those who have an object depending, which strongly engages their hopes and fears, should be somewhat inclined to superstition. As I came into the house full of anxiety about the event of my motion, I found, to my infinite surprise, that the grand penal bill, by which we had passed sentence on the trade and sustenance of America, is to be returned to us from the other house.\* I do confess I could not help looking on this event as a fortunate omen. I look upon it as sort of Providential favor, by which we are put once more in possession of our deliberative capacity, upon a business so very questionable in its nature, so very uncertain in its issue. By the return of this bill, which seemed to have taken its flight forever, we are at this very instant nearly as free to choose a plan for our American government, as we were on the first day of the session. If, sir, we incline to the side of conciliation, we are not at all embarrassed (unless we please to make ourselves so) by any incongruous mixture of coercion and restraint. We are therefore called upon, as it were by a superior warning voice, again to attend to America; to attend to the whole of it together; and to review the subject with an unusual degree of care and calmness.

Surely it is an awful subject; or there is none so on this side of the grave. When I first had the honor of a seat in this house, the affairs of that continent pressed themselves upon us, as the most important and most delicate object of parliamentary attention. My little share in this great deliberation oppressed me. I found myself a partaker in a very high trust; and having no sort of reason to rely on the strength of my natural abilities for the proper execution of that trust, I was obliged to take more than common pains, to instruct myself in every thing which relates to our colonies. I was not less under the necessity of forming some fixed ideas, concerning the general policy of the British empire. Something of this sort seemed to be indispensable, in order, amidst so vast a fluctuation of passions and opinions, to concenter my thoughts; to ballast my conduct; to preserve me

\*The act to restrain the trade and commerce of the provinces of Massachusetts Bay and New Hampshire, and colonies of Connecticut and Rhode Island, and Providence Plantations, in North America, to Great Britain, Ireland, and the British islands in the West-Indies; and to prohibit such provinces and colonies from carrying on any fishery on the banks of Newfoundland and other places therein mentioned, under certain conditions and limitations.

from being blown about by every wind of fashionable doctrine. I really did not think it safe, or manly, to have fresh principles to seek upon every fresh mail which should arrive from America.

At that period, I had the fortune to find myself in perfect concurrence with a large majority in this house. Bowing under that high authority, and penetrated with the sharpness and strength of that early impression, I have continued ever since, without the least deviation, in my original sentiments. Whether this be owing to an obstinate perseverance in error, or to a religious adherence to what appears to me truth and reason, it is in your equity to judge.

Parliament, sir, having an enlarged view of objects, made, during this interval, more frequent changes in their sentiments and their conduct, than could be justified in a particular person upon the contracted scale of private information. But though I do not hazard any thing approaching to a censure on the motives of former parliaments to all those alterations, one fact is undoubted, that under them the state of America has been kept in continual agitation. Every thing administered as remedy to the public complaint, if it did not produce, was at least followed by, an heightening of the distemper; until, by a variety of experiments, that important country has been brought into her present situation; a situation, which I will not miscall, which I dare not name; which I scarcely know how to comprehend in the terms of any description.

In this posture, sir, things stood at the beginning of the session. About that time a worthy\* member, of great parliamentary experience, who, in the year 1766, filled the chair of the American committee with much ability, took me aside; and lamenting the present aspect of the politics, told me things were come to such a pass, that our former methods of proceeding in the house would be no longer tolerated. That the public tribunal (never too indulgent to a long and unsuccessful opposition) would now scrutinize our conduct with unusual severity. That the very vicissitudes and shiftings of ministerial measures, instead of convicting their authors of inconstancy and want of system, would be taken as an occasion of charging us with a pre-determined discontent, which nothing could satisfy; whilst we accused every measure of vigour as cruel, and every proposal of lenity as weak and irresolute. The public, he said, would

\*Mr. Rose Fuller.

not have patience to see us play the game out with our adversaries; we must produce our hand. It would be expected, that those who for many years had been active in such affairs should shew that they had formed some clear and decided idea of the principles of colony government; and were capable of drawing out something like a platform of the ground, which might be laid for future and permanent tranquility.

I felt the truth of what my hon. friend represented; but I felt my situation too. His application might have been made with far greater propriety to many other gentlemen. No man was indeed ever better disposed, or worse qualified, for such an undertaking than myself. Though I gave so far into his opinion that I immediately threw my thoughts into a sort of parliamentary form, I was by no means equally ready to produce them. It generally argues some degree of natural impotence of mind, or some want of knowledge of the world, to hazard plans of government, except from a seat of authority. Propositions are made, not only ineffectually, but somewhat disreputably, when the minds of men are not properly disposed for their reception; and, for my part, I am not ambitious of ridicule; nor absolutely a candidate for disgrace.

Besides, sir, to speak the plain truth, I have in general no very exalted opinion of the virtue of paper government; nor of any politics, in which the plan is to be wholly separated from the execution. But when I saw that anger and violence prevailed every day more and more, and that things were hastening towards an incurable alienation of our colonies, I confess my caution gave way, I felt this as one of those few moments in which decorum yields to an higher duty. Public calamity is a mighty leveller, and there are occasions when any, even the slightest, chance of doing good must be laid hold on, even by the most inconsiderable person.

To restore order and repose to an empire so great and so distracted as ours, is merely, in the attempt, an undertaking that would ennoble the flights of the highest genius, and obtain pardon for the efforts of the meanest understanding.—Struggling a good while with these thoughts, by degrees I felt myself more firm. I derived, at length, some confidence from what in other circumstances usually produces timidity. I grew less anxious even from the idea of my own insignificance; for judging of what you are, by what you ought to be, I persuaded myself that you would not reject

a reasonable proposition, because it had nothing but its reason to recommend it. On the other hand; being totally destitute of all shadow of influence, natural or adventitious, I was very sure that, if my proposition were futile or dangerous, if it were weakly conceived, or improperly timed, there was nothing exterior to it, of power to awe, dazzle, or delude you. You will see it just as it is, and you will treat it just as it deserves.

The proposition is peace. Not peace through the medium of war. Not peace to be hunted through the labyrinth of intricate and endless negotiations. Not peace to arise out of universal discord, fomented from principle in all parts of the empire. Not peace to depend on the juridical determination of perplexing questions; or the precise marking the shadowy boundaries of a complex government. It is simple peace, sought in its natural course, and its ordinary haunts. It is peace sought in the spirit of peace, and laid in principles purely pacific. I propose, by removing the ground of the difference, and by restoring the former unsuspecting confidence of the colonies in the mother country, to give permanent satisfaction to your people; and (far from a scheme of ruling by discord) to reconcile them to each other in the same act, and by the bond of the very same interest, which reconciles them to British government.

My idea is nothing more. Refined policy ever has been the parent of confusion, and ever will be so as long as the world endures. Plain good intention, which is as easily discovered at the first view, as fraud is surely detected at last, is, let me say, of no mean force in the government of mankind. Genuine simplicity of heart is an healing and cementing principle. My plan, therefore, being formed upon the most simple grounds imaginable, may disappoint some people when they hear it. It has nothing to recommend it to the pruriency of curious ears. There is nothing at all new and captivating in it. It has nothing of the splendor of the project, which has been lately laid upon your table by the noble lord in the blue riband.\* It does

\*"That, when the governor, council or assembly, or general court, of any of his majesty's provinces or colonies in America, shall propose to make provision, according to the condition, circumstances and situation of such province or colony, for contributing their proportion to the common defence (such proportion to be raised under the authority of the general court, or general assembly, of such province or colony, and disposable by parliament) and shall engage to make provision also for the support of the civil government, and the administration of justice, in such province or colony, it will be proper, if such proposal shall be approved by



not propose to fill your lobby with squabbling colony agents, who will require the interposition of your mace, at every instant, to keep the peace amongst them. It does not institute a magnificent auction of finance, where captivated provinces come to general ransom by bidding against each other, until you knock down the hammer, and determine a proportion of payments, beyond all the powers of algebra to equalize and settle.

The plan, which I shall presume to suggest, derives, however, one great advantage from the proposition and registry of that noble lord's project. The idea of conciliation is admissible. First, the house, in accepting the resolution moved by the noble lord, has admitted, notwithstanding the menacing front of our address, notwithstanding our heavy bill of pains and penalties, that we do not think ourselves precluded from all ideas of free grace and bounty.

The house has gone farther, it has declared conciliation admissible, previous to any submission on the part of America. It has even shot a good deal beyond that mark, and has admitted that the complaints of our former mode of exerting the right of taxation were not wholly unfounded. That right thus exerted is allowed to have had something reprehensible in it; something unwise, or something grievous; since, in the midst of our heat and resentment, we of ourselves have proposed a capital alteration; and, in order to get rid of what seemed so very exceptionable, have instituted a mode that is altogether new; one that is, indeed, wholly alien from all the ancient methods and forms of parliament.

The principle of this proceeding is large enough for my purpose. The means proposed by the noble lord for carrying his ideas into execution, I think, indeed, are very indifferently suited to the end; and this I shall endeavor to shew you before I sit down. But, for the present, I take my ground on the admitted principle. I mean to give peace. Peace implies reconciliation; and, where there has been a material dispute, reconciliation does in a manner

his majesty, and the two houses of parliament, and for so long as such provision shall be made accordingly, to forbear, in respect of such province or colony, to levy any duty, tax, or assessment, or to impose any further duty, tax, or assessment, except such duties as it may be expedient to continue to levy or impose for the regulation of commerce; the neat produce of the duties last mentioned to be carried to the account of such province or colony respectively." Resolutions moved by lord North in the committee, and agreed to by the house, 27 Feb. 1775.

always imply concession on the one part or on the other. In this state of things I make no difficulty in affirming that the proposal ought to originate from us. Great and acknowledged force is not impaired, either in effect or in opinion, by an unwillingness to exert itself. The superior power may offer peace with honor and with safety. Such an offer, from such a power, will be attributed to magnanimity. But the concessions of the weak are the concessions of fear. When such a one is disarmed, he is wholly at the mercy of his superior, and he loses forever that time and those chances which, as they happen to all men, are the strength and resources of all inferior power.

The capital leading questions, on which you must this day decide, are these two. First, whether you ought to concede; and, secondly, what your concession ought to be. On the first of these questions we have gained (as I have just taken the liberty of observing to you) some ground. But I am sensible that a good deal more is still to be done. Indeed, sir, to enable us to determine both on the one and the other of these great questions, with a firm and precise judgment, I think it may be necessary to consider distinctly the true nature and the peculiar circumstances of the object which we have before us. Because, after all our struggle, whether we will or not, we must govern America according to that nature, and to those circumstances, and not according to our own imaginations; not according to abstract ideas of right; by no means according to mere general theories of government, the resort of which appears to me, in our present situation, no better than arrant trifling. I shall therefore endeavor, with your leave, to lay before you some of the most material of these circumstances, in as full and as clear a manner as I am able to state them.

The first thing that we have to consider, with regard to the nature of the object, is the number of people in the colonies. I have taken for some years a good deal of pains on that point. I can by no calculation justify myself in placing the number below two millions of inhabitants of our own European blood and color, besides at least 500,000 others, who form no inconsiderable part of the strength and opulence of the whole. This, sir, is, I believe, about the true number. There is no occasion to exaggerate where plain truth is of so much weight and importance. But whether I put the present numbers too high or too low, is a matter of little moment. Such is the strength with which population shoots in that part of the

world, that state the numbers as high as we will. Whilst the dispute continues, the exaggeration ends. Whilst we are discussing any given magnitude, they are grown to it. Whilst we spend our time in deliberating on the mode of governing two millions, we shall find we have millions more to manage. Your children do not grow faster from infancy to manhood, than they spread from families to communities, and from villages to nations.

I put this consideration of the present and the growing numbers in the front of our deliberation; because, sir, this consideration will make it evident to a blunter discernment than yours, that no partial, narrow, contracted, pinched, occasional system will be at all suitable to such an object. It will shew you that it is not to be considered as one of those "minima," which are out of the eye and consideration of the law; not a paltry excrement of the state; not a mean dependant, who may be neglected with little damage, and provoked with little danger. It will prove that some degree of care and caution is required in the handling such an object; it will shew that you ought not, in reason, to trifle with so large a mass of the interests and feelings of the human race. You could at no time do so without guilt, and be assured you will not be able to do it long with impunity.

But the population of this country, the great and growing population, though a very important consideration, will lose much of its weight if not combined with other circumstances. The commerce of your colonies is out of all proportion beyond the numbers of the people. This ground of their commerce indeed has been trod some days ago, and with great ability, by a distinguished person at your bar. This gentleman, after thirty-five years—it is so long since he first appeared at the same place to plead for the commerce of Great Britain, has come again before you to plead the same cause, without any other effect of time than that, to the fire of imagination, and extent of erudition, which even then marked him as one of the first literary characters of his age, he has added a consummate knowledge in the commercial interest of his country, formed by a long course of enlightened and discriminating experience.

Sir, I should be inexcusable in coming after such a person with any detail, if a great part of the members, who now fill the house, had not the misfortune to be absent when he appeared at your bar. Besides, sir, I propose to take the matter at periods of time

Mr. Glover.

somewhat different from his. There is, if I mistake not, a point of view from whence, if you will look at this subject, it is impossible that it should not make an impression upon you.

I have in my hand two accounts, one a comparative state of the export trade of England to its colonies, as it stood in the year 1704, and as it stood in the year 1772. The other a state of the export trade of this country to its colonies alone, as it stood in 1772, compared with the whole trade of England to all parts of the world (the colonies included) in the year 1704. They are from good vouchers; the latter period from the accounts on your table, the earlier from an original manuscript of Davenant, who first established the inspector-general's office, which has been ever since his time so abundant a source of parliamentary information.

The export trade to the colonies consists of three great branches. The African, which terminating almost wholly in the colonies, must be put to the account of their commerce, the West-Indian and the North American. All these are so interwoven, that the attempt to separate them would tear to pieces the texture of the whole; and, if not entirely destroy, would very much depreciate the value of all the parts. I therefore consider these three denominations to be, what in effect they are, one trade.

The trade to the colonies, taken on the export side, at the beginning of this century, that is, in the year 1704, stood thus:

Exports to North America and the West-Indies,	£483,265
To Africa,	86,665
	<hr/>
	569,930

In the year 1772, which I take as a middle year between the highest and the lowest of those lately laid on your table, the accounts were as follows:

To North America, and the West-Indies,	£4,791,734
To Africa,	866,398
To which if you add the export trade to and from Scotland, which had in 1704 no existence,	364,000
	<hr/>
	6,022,132

From five hundred and odd thousands, it has grown to six millions; it has increased no less than twelvefold. This is the state of the colony trade,

resource; for, conciliation failing, force remains; but, force failing, no further hope of reconciliation is left. Power and authority are sometimes bought by kindness; but they can never be begged as alms by an impoverished and defeated violence.

A farther objection to force is, that you impair the object by your very endeavors to preserve it. The thing you fought for, is not the thing which you recover; but depreciated, sunk, wasted, and consumed in the contest. Nothing less will content me than whole America. I do not choose to consume its strength along with our own, because in all parts it is the British strength that I consume. I do not choose to be caught by a foreign enemy at the end of this exhausting conflict; and still less in the midst of it. I may escape, but I can make no insurance against such an event. Let me add, that I do not choose wholly to break the American spirit, because it is the spirit that has made the country.

Lastly, we have no sort of experience in favor of force as an instrument in the rule of our colonies. Their growth and their utility has been owing to methods altogether different. Our ancient indulgence has been said to be pursued to a fault. I may be so. But we know, if feeling is evidence, that our fault was more tolerable than our attempt to mend it, and our aim far more salutary than our penitence.

These, sir, are my reasons for not entertaining that high opinion of untried force, by which many gentlemen, for whose sentiments in other particulars I have great respect, seem to be so greatly captivated. But there is still behind a third consideration concerning this object, which serves to determine my opinion on the sort of policy which ought to be pursued in the management of America, even more than its population and its commerce, I mean its temper and character.

In this character of the Americans a love of freedom is the predominating feature, which marks and distinguishes the whole; and as an ardent is always a jealous affection, your colonies become suspicious, restive, and untractable, whenever they see the least attempt to wrest from them by force, or shuffle from them by chicanery, what they think the only advantage worth living for. This fierce spirit of liberty is stronger in the English colonies probably than in any other people of the earth, and this from a great variety of powerful causes; which, to understand the true temper of their minds, and the

directions which this spirit takes, it will not be amiss to lay open somewhat more largely.

First, the people of the colonies are descendants of Englishmen. England, sir, is a nation which still I hope respects, and formerly adored her freedom. The colonists emigrated from you, when this part of your character was most predominant, and they took this bias and direction the moment they parted from your hands. They are therefore not only devoted to liberty, but to liberty according to English ideas, and on English principles. Abstract liberty, like other mere abstractions, is not to be found. Liberty inheres in some sensible object; and every nation has formed to itself some favorite point which by way of eminence becomes the criterion of their happiness. It happened, you know, sir, that the great contests for freedom in this country were from the earliest times chiefly upon the question of taxing. Most of the contests in the ancient commonwealths turned primarily on the right of election of magistrates; or on the balance among the several orders of the state. The question of money was not with them so immediate. But in England it was otherwise, on this point of taxes, the ablest pens, and most eloquent tongues, have been exercised; the greatest spirits have acted and suffered.

In order to give the fullest satisfaction concerning the importance of this point, it was not only necessary for those, who in argument defended the excellence of the English constitution, to insist on this privilege of granting money as a dry point of fact, and to prove that the right had been acknowledged in ancient parchments and blind usages, to reside in a certain body called an house of commons. They went much further; they attempted to prove, and they succeeded, that in theory it ought to be so from the particular nature of a house of commons, as an immediate representative of the people, whether the old records had delivered this oracle or not. They took infinite pains to inculcate, as a fundamental principle, that in all monarchies the people must in effect themselves mediate or immediately possess the power of granting their own money, or no shadow of liberty could subsist. The colonies draw from you, as with their life blood, these ideas and principles. Their love of liberty, as with you, fixed and attached on this specific point of taxing. Liberty might be safe, or might be endangered in twenty other particulars, without their being much pleased or alarmed. Here they felt its pulse; and as they found that beat, they thought themselves sick or

sound. I do not say whether they were right or wrong in applying your general arguments to their own case. It is not easy indeed to make a monopoly of theorems and corollaries. The fact is, that they did thus apply those general arguments; and your mode of governing them, whether through lenity or indolence, through wisdom or mistake, confirm them in the imagination that they, as well as you, had an interest in these common principles.

They were further confirmed in this pleasing error by the form of their provincial legislative assemblies. Their governments are popular in an high degree, some are merely popular; in all, the popular representative is the most weighty; and this share of the people in their ordinary government never fails to inspire them with lofty sentiments, and with a strong aversion from whatever tends to deprive them of their chief importance.

If any thing were wanting to this necessary operation of the form of government, religion would have given it a complete effect. Religion, always a principle of energy, in this new people, is no way worn out or impaired; and their mode of professing it is also one main cause of this free spirit. The people are protestants; and of that kind which is the most averse to all implicit submission of mind and opinion.

This is a persuasion not only favorable to liberty but built upon it. I do not think, sir, that the reason of this averseness in the dissenting churches, from all that looks like absolute government, is so much to be sought in their religious tenets, as in their history. Every one knows, that the Roman Catholic religion is at least coeval with most of the governments where it prevails; that it has generally gone hand in hand with them, and received great favor and every kind of support from authority. The church of England too was formed from her cradle under the nursing care of regular government. But the dissenting interests have sprung up in direct opposition to all the ordinary powers of the world; and could justify that opposition only on a strong claim to natural liberty. Their very existence depended on the powerful and unremitting assertion of that claim. All Protestantism, even the most cold and passive, is a sort of dissent. But the religion most prevalent in our northern colonies, is a refinement on the principle of resistance, it is the diffidence of dissent; and the protestantism of the protestant religion. This religion, under a variety of denominations, agreeing in nothing but in the communion of the

spirit of liberty, is predominant in most of the northern provinces; where the church of England, notwithstanding its legal rights, is in reality no more than a sort of private sect; not composing most probably the tenth of the people. The colonists left England when this spirit was high: and in the emigrants was the highest of all, and even that strain of foreigners, which has been constantly flowing into these colonies, has for the greatest part, been composed of dissenters from the establishments of their several countries; and have brought with them a temper and character far from alien to that of a people with whom they mixed.

Sir, I can perceive, by their manner, that some gentleman object to the latitude of this description: because in the southern colonies the church of England forms a large body, and has a regular establishment. It is certainly true. There is, however, a circumstance attending these colonies, which in my opinion, fully counterbalances this difference, and makes the spirit of liberty still more high and haughty than in those to the northward. It is that in Virginia and the Carolinas, they have a vast multitude of slaves. Where this is the case in any part of the world, those who are free, are by far the most proud and jealous of their freedom. Freedom is to them not only an enjoyment, but a kind of rank and privilege. Not seeing there that freedom, as in countries where it is a common blessing, and as broad and general as the air, may be united with much abject toil, with great misery, with all the exterior of servitude, liberty looks amongst them like something that is more noble and liberal. I do not mean, sir, to commend the superior morality of this sentiment, which has at least as much pride as virtue in it, but I cannot alter the nature of man. The fact is so, and these people of the southern colonies are much more strongly, and with an higher and more stubborn spirit, attached to liberty than those of the northward. Such were all the ancient commonwealths; such were our Gothic ancestors; such in our days were the Poles; and such will be all masters of slaves, who are not slaves themselves. In such a people the haughtiness of domination combines with the spirit of freedom, fortifies it, and renders it invincible.

To impoverish the colonies in general, and in particular to arrest the noble course of their marine enterprizes, would be a more easy task, I freely confess it. We have shewn a disposition even to continue the restraint after the offence, looking on ourselves as rivals to our colonies, and persuad-

ed that of course we must gain all that they shall lose. Much mischief we may certainly do. The power inadequate to all other things is often more than sufficient for this. I do not look on the direct and immediate power of the colonies to resist our violence as very formidable. In this, however, I may be mistaken. But when I consider, that we have colonies for no purpose but to be serviceable to us, it seems to my poor understanding a little preposterous, to make them unserviceable, in order to keep them obedient. It is, in truth, nothing more than the old, and, as I thought, exploded problem of tyranny, which proposes to beggar its subjects into submission. But remember when you have completed your system of impoverishment, that nature still proceeds in her ordinary course; that discontent will increase with misery; and that there are critical moments in the fortune of all states, when they, who are too weak to contribute to your prosperity, may be strong enough to complete your ruin. *Spoliatis arma supersunt.*

The temper and character, which prevail in our colonies, are, I am afraid, unalterable by any human art. We cannot, I fear, falsify the pedigree of this fierce people, and persuade them that they are not sprung from a nation, in whose veins the blood of freedom circulates. The language, in which they would hear you tell them this tale, would detect the imposition; your speech would betray you. An Englishman is the unfittest person on earth to argue another Englishman into slavery.

I think it is nearly as little in our power to change their republican religion, as their free descent; or to substitute the Roman Catholic as a penalty, or the church of England as an improvement.\* The mode of inquisition and dragooning is going out of fashion in the old world, and I should not confide much to their efficacy in the new. The education of the Americans is also on the same unalterable bottom with their religion. You cannot persuade them to burn their books of curious science; to banish their lawyers from their courts of law, or to quench the lights of their assemblies, by refusing to choose those persons who are best read in their privileges. It would be no less impracticable to think of wholly annihilating the popular assemblies, in which these lawyers sit.—The army, by which we must govern in their place, would be far more chargeable to us, not quite so effectual, and perhaps in the end, full as difficult to be kept in obedience.

With regard to the high aristocratic spirit of

Virginia and the southern colonies, it has been proposed, I know, to reduce it by declaring a general enfranchisement of their slaves. This project has had its advocates and panegyrists; yet I never could argue myself into an opinion of it. Slaves are often much attached to their masters. A general wild offer of liberty would not always be accepted.—History furnishes few instances of it. It is sometimes as hard to persuade slaves to be free, as it is to compel freemen to be slaves, and in this auspicious scheme, we should have both these pleasing tasks on our hands at once. But when we talk of enfranchisement, do we not perceive that the American masters may enfranchise too, and arm servile hands in defence of freedom? A measure to which other people have had recourse more than once, and not without success, in a desperate situation of their affairs.

Slaves, as these unfortunate black people are, and dull as all men are from slavery, must they not a little suspect the offer of freedom from that very nation which has sold them to their present masters? From that nation, one of whose causes of quarrel with those masters, is their refusal to deal any more in that inhuman traffic? An offer of freedom from England would come rather oddly, shipped to them in an African vessel, which is refused an entry into the ports of Virginia and Carolina, with a cargo of three hundred Angola negroes. It would be curious to see the Guinea captain attempting at the same instant to publish his proclamation of liberty, and to advertise his sale of slaves.

But let us suppose all these moral difficulties got over. The ocean remains. You cannot pump this dry, and as long as it continues in its present bed, so long all the causes which weaken authority by distance will continue. "Ye Gods annihilate but space and time, and make two lovers happy!" Was a pious and passionate prayer, but just as reasonable as many of the serious wishes of very grave and solemn politicians.

If then, sir, it seems almost desperate to think of any alternative course for changing the moral causes (and not quite easy to remove the natural) which produce prejudices irreconcilable to the late exercise of our authority; but that the spirit infallibly will continue, and continuing, will produce such effects, as now embarrass us, the second mode under consideration is to prosecute that spirit in its overt acts as criminal.

At this proposition I must pause a moment. The thing seems a great deal too big for my ideas of

jurisprudence. It should seem, to my way of conceiving such matters, that there is a very wide difference in reason and policy, between the mode of proceeding on the irregular conduct of scattered individuals, or even of bands of men, who disturb order within the state, and the civil dissensions which may, from time to time, on great questions, agitate the several communities which compose a great empire. It looks to me to be narrow and pedantic, to apply the ordinary ideas of criminal justice to this great public contest. I do not know the method of drawing up an indictment against a whole people. I cannot insult and ridicule the feelings of millions of my fellow creatures, as sir Edward Coke insulted one excellent individual (sir Walter Raleigh) at the bar. I am not ripe to pass sentence on the gravest public bodies, entrusted with magistracies of great authority and dignity, and charged with the safety of their fellow-citizens, upon the very same title that I am. I really think that, for wise men, this is not judicious; for sober men, not decent; for minds tinctured with humanity, not mild and merciful.

Perhaps, sir, I am mistaken in my idea of an empire, as distinguished from a single state or kingdom. But my idea of it is this, that an empire is the aggregate of many states under one common head; whether this head be a monarch or a presiding republic. It does, in such constitutions, frequently happen (and nothing but the dismal, cold, dead uniformity of servitude can prevent its happening) that the subordinate parts have many local privileges and immunities. Between these privileges, and the supreme common authority, the line may be extremely nice. Of course disputes, often too, very bitter disputes, and much ill-blood, will arise. But though every privilege is an exemption (in the case) from the ordinary exercise of the supreme authority, it is no denial of it. The claim of privilege seems rather, *ex vi termini*; to imply a superior power. For to talk of the privileges of a state, or of a person, who has no superior, is hardly any better than speaking nonsense. Now, in such unfortunate quarrels, among the component parts of a great political union of communities, I can scarcely conceive any thing more completely imprudent, than for the head of the empire to insist, that if any privilege is pleaded against his will, or his acts, that his whole authority is denied, instantly to proclaim rebellion; to beat to arms, and to put the offending provinces under the ban. Will not this, sir, very soon teach the provinces to make no distinctions on their part?

Will it not teach them that the government, against which a claim of liberty is tantamount to high treason, is a government to which submission is equivalent to slavery? It may not always be quite convenient to impress dependent communities with such an idea.

We are, indeed, in all disputes with the colonies, by the necessity of things, the judge. It is true, sir. But I confess that the character of judge in my own cause, is a thing that frightens me. Instead of filling me with pride, I am exceedingly humbled by it. I cannot proceed with a stern, assured, judicial character. I must have these hesitations as long as I am compelled to recollect, that, in my little reading upon such contests as these, the sense of mankind has, at least, as often decided against the superior as the subordinate power. Sir, let me add too, that the opinion of my having some abstract right in my favor, would not put me much at my ease in passing sentence, unless I could be sure that there were no rights which, in their exercises under certain circumstances, were not the most odious of all wrongs, and the most vexatious of all injustice. Sir, these considerations have great weight with me, when I find things so circumstanced, that I see the same party, at once a civil litigant against me in a point of right, and a culprit before me, while I sit as a criminal judge, on acts of his whose moral quality is to be decided upon the merits of that very litigation. Men are every now and then put, by the complexity of human affairs, into strange situations; but justice is the same, let the judge be in what situation he will.

There is, sir, also a circumstance which convinces me that this mode of criminal proceeding is not (at least in the present stage of our contest) altogether expedient; which is nothing less than the conduct of those very persons who have seemed to adopt that mode, by lately declaring a rebellion in Massachusetts' Bay, as they had formerly addressed to have traitors brought hither under an act of Henry the eighth for trial. For though rebellion is declared, it is not proceeded against as such; nor have any steps been taken towards the apprehension or conviction of any individual offender, either on our late or our former address; but modes of public coercion have been adopted, and such as have much more resemblance to a sort of qualified hostility towards an independent power than the punishment of rebellious subjects. All this seems rather inconsistent, but it shews how difficult it is to apply these juridical ideas to our present case.

In this situation, let us seriously and coolly ponder. What is it we have got by all our menaces, which have been many and ferocious? What advantage have we derived from the penal laws we have passed, and which, for the time, have been severe and numerous? What advances have we made towards our object by the sending of a force which, by land and sea, is no contemptible strength? Has the disorder abated? Nothing less.—When I see things in this situation, after such confident hopes, bold promises, and active exertions, I cannot, for my life, avoid a suspicion that the plan itself is not correctly right.

If then the removal of the causes of this spirit of American liberty be, for the greater part, or rather entirely, impracticable; if the ideas of criminal process be inapplicable, or, if applicable, are in the highest degree inexpedient, what way yet remains? No way is open but the third and last; to comply with the American spirit as necessary; or if you please, to submit to it as a necessary evil.

If we adopt this mode, if we mean to conciliate and concede, let us see of what nature the concession ought to be? To ascertain the nature of our concession, we must look at their complaint. The colonies complain that they have not the characteristic mark and seal of British freedom. They complain, that they are taxed in a parliament, in which they are not represented. If you mean to satisfy them at all, you must satisfy them with regard to this complaint. If you mean to please any people, you must give them the boon which they ask; not what you may think better for them, but of a kind totally different. Such an act may be a wise regulation, but it is no concession; whereas our present theme is the mode of giving satisfaction.

Sir, I think you must perceive, that I am resolved this day to have nothing at all to do with the question of the right of taxation. Some gentlemen startle—but it is true. I put it totally out of the question. It is less than nothing in my consideration. I do not indeed wonder, nor will you, sir, that gentlemen of profound learning are fond of displaying it on this profound subject. But my consideration is narrow, confined, and wholly limited to the policy of the question. I do not examine, whether the giving away a man's money be a power excepted and reserved out of the general trust of government, and how far all mankind, in all forms of polity, are entitled to an exercise of that right by the charter of nature. Or whether,

on the contrary, a right of taxation is necessarily involved in the general principle of legislation, and inseparable from the ordinary supreme power?—These are deep questions, where great names militate against each other; where reason is perplexed, and an appeal to authorities only thickens the confusion. For high and reverend authorities lift up their heads on both sides, and there is no sure footing in the middle. This point is the great Serbonian bog, betwixt Damietta and Mount Cassius old, where armies whole have sunk. I do not intend to be overwhelmed in that bog, though in such respectable company. The question with me is, not whether you have a right to render your people miserable, but whether it is not your interest to make them happy? It is not what a lawyer tells me I may do, but what humanity, reason, and justice tells me I ought to do. Is a politic act the worse for being a generous one? Is no concession proper, but that which is made from your want of right to keep what you grant? Or does it lessen the grace or dignity of relaxing in the exercise of an odious claim, because you have your evidence room full of titles, and all those arms? Of what avail are they, when the reason of the thing tells me, that the assertion of title is the loss of my suit; and that I could do nothing but wound myself by the use of my own weapons?

Such is stedfastly my opinion of the absolute necessity of keeping up the concord of this empire by a unity of spirit, though in a diversity of operations; that, if I were sure the colonists had, at their leaving this country, sealed a regular compact of servitude; that they had solemnly abjured all the rights of citizens; that they had made a vow to renounce all ideas of liberty, for them and their posterity, to all generations; yet I should hold myself obliged to conform to the temper I found universally prevalent in my own day, and to govern two millions of men, impatient of servitude, on the principles of freedom. I am not determining a point of law; I am restoring tranquility, and the general character and situation of a people must determine what sort of government is fitted for them. That point nothing else can or ought to determine.

My idea, therefore, without considering whether we yield as matter of right, or grant as matter of favor, is to admit the people of our colonies into an interest in the constitution; and, by recording that admission in the journals of parliament, to give them as strong an assurance as the nature of the thing will admit, that we mean forever to adhere to that solemn declaration of systematic indulgence.

Some years ago the repeal of a revenue act, upon its understood principle, might have served to shew that we intended an unconditional abatement of the exercise of a taxing power. Such a measure was then sufficient to remove all suspicion, and to give perfect content. But unfortunate events, since that time, may make something farther necessary, and not more necessary for the satisfaction of the colonies than for the dignity and consistency of our own future proceedings.

I have taken a very incorrect measure of the disposition of the house, if this proposal in itself would be received with dislike. I think, sir, we have few American financiers. But our misfortune is, we are too acute, we are too exquisite in our conjectures of the future, for men oppressed with such great and present evils. The more moderate among the opposers of parliamentary concession freely confess, that they hope no good from taxation, but they apprehend the colonists have farther views, and if this point were conceded, they would instantly attack the trade laws. These gentlemen are convinced, that this was the intention from the beginning, and the quarrel of the Americans with taxation was no more than a cloke and a cover to this design. Such has been the language even of a gentleman\* of real moderation, and of a natural temper well adjusted to fair and equal government. I am, however, sir, not a little surprised at this kind of discourse, whenever I hear it; and I am more surprised, on account of the arguments which I constantly find in company with it, and which are often urged from the same mouths, and on the same day. For instance, when we allege that it is against reason to tax a people under so many restraints to trade as the Americans, the noble lord† in the blue riband shall tell you, that the restraints on trade are futile and useless; of no advantage to us, and of no burthen to those on whom they are imposed; that the trade to America is not secured by the acts of navigation, but by the natural and irresistible advantage of a commercial preference.

Such is the merit of the trade laws in this posture of the debate. But when strong internal circumstances are urged against the taxes; when the scheme is dissected; when experience and the nature of things are brought to prove, and do prove, the utter impossibility of obtaining an effective revenue from the colonies; when these things are pressed, or rather press themselves, so as to drive

the advocates of colony taxes to a clear admission of the futility of the scheme, then, sir, the sleeping trade laws revive from their trance; and this, unless taxation is to be kept sacred, not for its own sake, but as a counterguard and security of the laws of trade.

Then, sir, you keep up revenue laws which are mischievous, in order to preserve trade laws that are useless; such is the wisdom of our plan in both its members. They are separately given up as of no value, and yet one is always to be defended for the sake of the other. But I cannot agree with the noble lord, nor with the pamphlet from whence he seems to have borrowed these ideas, concerning the inutility of the trade laws. For without idolizing them, I am sure they are still, in many ways, of great use to us; and in former times they have been of the greatest. They do confine, and they do greatly narrow, the market for the Americans. But my perfect conviction of this does not help me in the least to discern how the revenue laws form any security whatsoever to the commercial regulations; or that these commercial regulations are the true ground of the quarrel, or that the giving away, in any one instance of authority, is to lose all that may remain unconceded.

One fact is clear and indisputable. The public and avowed origin of this quarrel was on taxation. This quarrel has indeed brought on new disputes, on new questions; but certainly the least bitter, and the fewest of all, on the trade laws. To judge which of the two be the real radical cause of quarrel, we have to see whether the commercial dispute did, in order of time, precede the dispute on taxation? There is not a shadow of evidence for it. Next, to enable us to judge whether at this moment a dislike to the trade laws be the real cause of quarrel, it is absolutely necessary to put the taxes out of the question by a repeal. See how the Americans act in this position, and then you will be able to discern correctly what is the true object of the controversy, or whether any controversy at all will remain? Unless you consent to remove this cause of difference, it is impossible, with decency, to assert that the dispute is not upon what it is avowed to be. And I would, sir, recommend to your serious consideration whether it be prudent to form a rule for punishing people, not on their own acts, but on your conjectures. Surely it is preposterous at the very best. It is not justifying your anger by their misconduct, but it is converting your ill-will into their delinquency.

But the colonies will go farther.—Alas! alas!

\*Mr. Rire.  
†Lord North.



When will this speculating against fact and reason end? What will quiet these panic fears, which we entertain of the hostile effect of a conciliatory conduct? Is it true that no case can exist, in which it is proper for the sovereign to accede to the desires of his discontented subjects? Is there any thing peculiar in this case, to make a rule for itself? Is all authority of course lost, when it is not pushed to the extreme? Is it a certain maxim, that the fewer causes of dissatisfaction that are left by government, the more the subject will be inclined to resist and rebel?

All these objections, being in fact no more than suspicions, conjectures, divinations formed in defiance of fact and experience, did not, sir, discourage me from entertaining the idea of a conciliatory concession, founded on the principles I have just stated.

In forming a plan for this purpose, I endeavored to put myself in that frame of mind, which was the most natural, and the most reasonable; and which was certainly the most probable means of securing me from all error. I set out with a perfect distrust of my own abilities; a total renunciation of every speculation of my own, and with a profound reverence for the wisdom of our ancestors, who have left us the inheritance of so happy a constitution, and so flourishing an empire, and what is a thousand times more valuable, the treasury of the maxims and principles which formed the one, and obtained the other.

During the reigns of the kings of Spain of the Austrian family, whenever they were at a loss in the Spanish councils, it was common for their statesmen to say, that they ought to consult the genius of Philip the second. The genius of Philip the second might mislead them, and the issue of their affairs shewed that they had not chosen the most perfect standard. But, sir, I am sure that I shall not be misled, when, in a case of constitutional difficulty, I consult the genius of the English constitution. Consulting at that oracle (it was with all due humility and piety) I found four capital examples in a similar case before me, those of Ireland, Wales, Chester, and Durham.

Ireland, before the English conquest, though never governed by a despotic power, had no parliament. How far the English parliament was at that time modelled, according to the present form, is disputed among antiquarians. But we have all the reason in the world to be assured that a form of parliament, such as England then enjoyed, she

instantly communicated to Ireland; and we are equally sure that almost every successive improvement in constitutional liberty, as fast as it was made here, was transmitted thither. The feudal baronage, and the feudal knighthood, the roots of our primitive constitution, were early transplanted into that soil; and grew and flourished there.—Magna Charta, if it did not give us originally the house, gave us at least a house of commons of weight and consequence. But your ancestors did not churlishly sit down alone to the feast of Magna Charta. Ireland was made immediately a partaker. This benefit of English laws and liberties, I confess, was not at first extended to all Ireland. Mark the consequence. English authority, and English liberties had exactly the same boundaries. Your standard could never be advanced an inch before your privileges. Sir John Davis shews, beyond a doubt, that the refusal of a general communication of these rights, was the true cause why Ireland was five hundred years in subduing; and after the vain projects of a military government, attempted in the reign of queen Elizabeth, it was soon discovered, that nothing could make that country English, in civility and allegiance, but your laws and your forms of legislature. It was not English arms, but the English constitution, that conquered Ireland. From that time, Ireland has ever had a general parliament as she had before a partial parliament; you changed the people, you altered the religion, but you never touched the form or the vital substance of free government. You deposed kings; you restored them; you altered the succession to theirs, as well as to your own crown; but you never altered their constitution; the principle of which was respected by usurpation; restored with the restoration of monarchy, and established, I trust forever, by the glorious revolution. This has made Ireland the great and flourishing kingdom that it is; and from a disgrace and a burthen intolerable to this nation, has rendered her a principal part of our strength and ornament. This country cannot be said to have ever formally taxed her. The irregular things done in the confusion of mighty troubles, and on the hinge of great revolutions, even if all were done that is said to have been done, form no example. If they have any effect in argument, they make an exception to prove the rule. None of your own liberties could stand a moment, if the casual deviations from them, at such times, were suffered to be used as proofs of their nullity. By the lucrative amount of such casual breaches in the constitution, judge what the stated and fixed rule of supply has been in that kingdom.

Your Irish pensioners would starve, if they had no other fund to live on than taxes granted by English authority. Turn your eyes to those popular grants from whence all your great supplies are come, and learn to respect that only source of public wealth in the British empire.

My next example is Wales. This country was said to be reduced by Henry the third. It was said more truly to be so by Edward the first. But though then conquered, it was not looked upon as any part of the realm of England. Its old constitution, whatever that might have been, was destroyed, and no good one was substituted in its place. The care of that tract was put into the hand of lord Marchers—a form of government of a very singular kind; a strange heterogeneous monster, something between hostility and government; perhaps it has a sort of resemblance, according to the modes of those times, to that of commander in chief at present, to whom all civil power is granted as secondary. The manners of the Welch nation followed the genius of the government; the people were ferocious, restive, savage, and uncultivated; sometimes composed, never pacified. Wales within itself was in perpetual disorder; and it kept the frontier of England in perpetual alarm. Benefits from it to the state there were none. Wales was only known to England by incursion and invasion.

Sir, during that state of things, parliament was not idle. They attempted to subdue the fierce spirit of the Welch by all sorts of rigorous laws. They prohibited by statute the sending all sorts of arms into Wales, as you prohibit by proclamation (with something more of doubt on the legality) the sending arms to America. They disarmed the Welch by statute as you attempted (but still with more question on the legality) to disarm New England by instruction. They made an act to drag offenders from Wales into England for trial, as you have done (but with more hardship) with regard to America. By another act, where one of the parties was an Englishman, they ordained that his trial should be always by English. They made acts to restrain trade, as you do, and they prevented the Welch from the use of fairs and markets, as you do the Americans from fisheries and foreign ports. In short, when the statute book was not quite so much swelled as it is now, you find no less than fifteen acts of penal regulation on the subject of Wales.

Here we rub our hands—A fine body of precedents for the authority of parliament, and the

use of it! I admit it fully, and pray add like use to these precedents, that all the while Wales eyed this kingdom like an incubus; that it was an unprofitable and oppressive burthen; and that an Englishman, travelling in that country, could not go six yards from the high road without being murdered.

The march of the human mind is slow, sir; it was not until after two hundred years discovered, that, by an eternal law, Providence had decreed vexation to violence and poverty to repine. Your ancestors did however at length open their eyes to the ill husbandry of injustice. They found that the tyranny of a free people could, of all tyrannies, the least be endured, and that laws made against a whole nation were not the most effectual methods for securing its obedience. Accordingly, in the twenty-seventh year of Henry VIII. the course was entirely altered. With a preamble stating the entire and perfect rights of the crown of England, it gave to the Welch all the rights and privileges of English subjects. A political order was established; the military power gave way to the civil; the marches were turned into counties. But that a nation should have a right to English liberties, and yet no share at all in the fundamental security of these liberties, the grant of their own property, seemed a thing so incongruous, that eight years after, that is, in the thirty-fifth of that reign, a complete and not ill proportioned representation by counties and boroughs was bestowed upon Wales, by act of parliament. From that moment, as by a charm, the tumults subsided; obedience was restored, peace, order, and civilization followed in the train of liberty.—When the day star of the English constitution had arisen in their hearts, all was harmony within and without.

Simul alba nautis  
Stella refulsit,  
Defluit faxis agitatus humor;  
Concidunt venti, fugiuntque nubes;  
Et minax (quod sic voluere) ponto  
Unda recumbit.

The very same year the county palatine of Chester received the same relief from its oppressions, and the same remedy to its disorders. Before this time Chester was little less distempered than Wales. The inhabitants, without rights themselves, were the fittest to destroy the rights of others; and from thence Richard II. drew the standing army of archers, with which for a time he oppressed England. The people of Chester applied to parliament in a petition, penned as I shall read to you:

"To the king, our sovereign lord, in most humble wise shewn unto your excellent majesty, the inhabitants of your grace's county palatine of Chester, that where the said county palatine of Chester is and hath been always hitherto exempt, excluded and separated out and from your high court of parliament, to have any knights or burgesses within the said court; by reason whereof the said inhabitants have hitherto sustained manifold disherisons, losses and damages, as well in their lands, goods, and bodies, as in the good, civil, and politic governance and maintenance of the commonwealth of their said county. (2.) And forasmuch as the said inhabitants have always hitherto been bound by the acts and statutes made and ordained by your said highness, and your most noble progenitors, by authority of the said court, as far forth as other counties, cities, and boroughs have been, that have had their knights and burgesses within your said court of parliament, and yet have had neither knight nor burgesses there for the said county palatine; the said inhabitants, for lack thereof, have been oftentimes touched, and grieved with acts and statutes made within the said court, as well derogatory unto the most ancient jurisdictions, liberties, and privileges of your said county palatine, as prejudicial unto the commonwealth, quietness, rest, and peace of your grace's most bounden subjects inhabiting within the same."

What did parliament with this audacious address? Reject it as a libel? Treat it as an affront to government? Spurn it as a derogation from the rights of legislature? Did they toss it over the table? Did they burn it by the hands of the common hangman? They took the petition of grievance, all rugged as it was, without softening, or temperament, unpurged of the original bitterness and indignation of complaint; they made it the very preamble to their act of redress; and consecrated its principle to all ages on the sanctuary of legislation.

Here is my third example. It was attended with the success of my two former. Chester, civilized as well as Wales, has demonstrated that freedom and not servitude, is the cure of anarchy; as religion, and not atheism, is the true remedy for superstition.

Sir, this pattern of Chester was followed in the reign of Charles II. with regard to the county palatine of Durham, which is my fourth example. This county had long lain out of the pale of free legislation. So scrupulously was the example of

Chester followed, that the style of the preamble is nearly the same with that of the Chester act; and without affecting the abstract extent of the authority of parliament, it recognizes the equity of not suffering any considerable district in which the British subjects may act as a body, to be taxed without their own voice in the grant.

Now if the doctrines of policy contained in these preambles, and the force of these examples in the acts of parliament, avail any thing, what can be said against applying them with regard to America? Are not the people of America as much Englishmen as the Welch? The preamble of the act of Henry VIII. says, the Welch speak a language no way resembling that of his majesty's English subjects. Are the Americans not so numerous? If we may trust the learned and accurate judge Barrington's account of North Wales, and take that as a standard to measure the rest, there is no comparison. The people cannot amount to above 200,000; not a tenth part of the number in the colonies. Is America in rebellion? Wales was hardly free from it. Have you attempted to govern America by penal statutes? You made fifteen for Wales. But your legislative authority is perfect with regard to America; was it less perfect in Wales, Chester, and Durham? But America is virtually represented. What! Does the electric force of virtual representation more easily pass over the Atlantic, than pervade Wales, which lies in your neighborhood; or than Chester and Durham surrounded by abundance of representation that is actual and palpable? But, sir, your ancestors thought this sort of virtual representation, however ample, to be totally insufficient for the freedom of the inhabitants of territories that are so near, and comparatively so inconsiderable. How then can I think it sufficient for those which are infinitely greater, and infinitely more remote.

You will now, sir, perhaps, imagine that I am on the point of proposing to you a scheme for a representation of the colonies in parliament. Perhaps I might be inclined to entertain some such thought; but a great flood stops me in my course. *Opposuit natura*—I cannot remove the eternal barriers of the creation. The thing in that mode, I do not know to be possible. As I meddle with no theory, I do not absolutely assert the impracticability of such a representation. But I do not see my way to it; and those who have been more confident, have not been more successful. However, the arm of public benevolence is not shortened, and there are often several means to the same

end. What nature has disjoined in one way, wisdom may unite in another. When we cannot give the benefit as we would wish, let us not refuse it altogether. If we cannot give the principal, let us find a substitute. But how? Where? What substitute?

Fortunately I am not obliged, for the ways and means of this substitute, to tax my own unproductive invention. I am not even obliged to go to the rich treasury of the fertile framers of imaginary commonwealths; not to the republic of Plato, not to the Utopia of Moore, not to the oceans of Harrington. It is before me.—It is at my feet, and the rude swain treads daily on it with his clouted shoon. I only wish you to recognize, for the theory, the ancient constitutional policy of this kingdom with regard to representation, as that policy has been declared in acts of parliament; and as to the practice, to return to that mode which an uniform experience has marked out to you as best; and in which you walked with security, advantage, and honor, until the year 1763.

My resolutions, therefore, mean to establish the equity and justice of a taxation of America by grant and not by imposition. To mark the legal competency of the colony assemblies for the support of their government in peace, and for public aids in time of war. To acknowledge that this legal competency has had a dutiful and beneficial exercise; and that experience has shewn the benefit of their grants, and the futility of parliamentary taxation as a method of supply.

These solid truths compose six fundamental propositions. There are three more resolutions corollary to these. If you admit the first set you can hardly reject the others. But if you admit the first, I shall be far from solicitous whether you accept or refuse the last. I think these six massive pillars will be of strength sufficient to support the temple of British concord. I have no more doubt than I entertain of my existence, that if you admitted these, you would command an immediate peace; and with but tolerable future management, a lasting obedience in America. I am not arrogant in this confident assurance. The propositions are all mere matters of fact; and if they are such facts as draw irresistible conclusions even in the stating, that is the power of truth, and not any management of mine.

Sir, I shall open the whole plan to you together, with such observations on the motions as may tend to illustrate them where they may want explana-

tion. The first is a resolution—"That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of parliament."—This is a plain matter of fact, necessary to be laid down, and (excepting the description) it is laid down in the language of the constitution; it is taken nearly verbatim from acts of parliament.

The second is like unto the first—"That the said colonies and plantations have been liable to, and bounden by, several subsidies, payments, rates, and taxes, given and granted by parliament, though the said colonies and plantations have not their knights and burgesses, in the said high court of parliament, of their own election, to represent the condition of their country; by lack whereof they have been oftentimes touched and grieved by subsidies given, granted, and assented to, in the said court, in a manner prejudicial to the commonwealth, quietness, rest, and peace, of the subjects inhabiting within the same."

Is this description too hot, or too cold, too strong, or too weak? Does it arrogate too much to the supreme legislature? Does it lean too much to the claims of the people? If it runs into any of these errors, the fault is not mine. It is the language of your own ancient acts of parliament. Non meus hic sermo, sed qua præcepit, ofella, rusticus, abnormis sapiens; it is the general produce of the ancient, rustie, manly, home-bred sense of this country.—I did not dare to rub off a particle of the venerable rust that rather adorns and preserves than destroys the metal. It would be a profanation to touch with a tool the stones which construct the sacred altar of peace. I would not violate, with modern polish, the ingenious and noble roughness of these truly constitutional materials. Above all things, I was resolved not to be guilty of tampering, the odious vice of restless and unstable minds. I put my foot in the tracks of our forefathers, where I can neither wander nor stumble. Determining to fix articles of peace, I was resolved not to be wise beyond what was written; I was resolved to use nothing else than the form of sound words; to let others abound in their own sense, and carefully to abstain from all expressions of my own. What the law has said, I say. In all things else I am silent. I have no organ but for her words. This if it be not ingenious, I am sure is safe.

There are, indeed, words expressive of grievance in this second resolution, which those who are resolved always to be in the right, will deny to contain matter of fact, as applied to the present case, although parliament thought them true with regard to the counties of Chester and Durham.—They will deny that the Americans were ever “touched and grieved” with the taxes. If they consider nothing in taxes but their weight as pecuniary impositions, there might be some pretence for this denial. But men may be sorely touched and deeply grieved in their privileges as well as in their purses. Men may lose little in property by the act which takes away all their freedom. When a man is robbed of a trifle on the highway, it is not the twopence lost that constitutes the capital outrage. This is not confined to privileges; even ancient indulgences withdrawn, without offence on the part of those who enjoyed such favors, operate as grievances. But were the Americans then not touched and grieved by the taxes, in some measure, merely asked? If so, why were they almost all either wholly repealed or exceedingly reduced? Were they not touched and grieved even by the regulating duties of the sixth of George the II? Else why were the duties first reduced to one third in 1764, and afterwards to a third of that third in the year 1766? were they not touched and grieved by the stamp act? I shall say they were until that tax is revived. Were they not touched and grieved by the duties of 1767, which were likewise repealed, and which lord Hillsborough tells you (for the ministry) were laid contrary to the true principle of commerce? Is not the assurance given by that noble person to the colonies of a resolution to lay no more taxes on them, an admission that taxes would touch and grieve them? Is not the resolution of the noble lord in the blue riband, now standing on your journals, the strongest of all proofs that parliamentary subsidies really touched and grieved them? Else why all these changes, modifications, repeals, assurances and resolutions?

The next proposition is, “That, from the distance of the said colonies, and from other circumstances, no method has hitherto been devised for procuring a representation in parliament for the said colonies.” This is an assertion of a fact. I go no farther on the paper, though in my private judgment, an useful representation is impossible; I am sure it is not desired by them, nor ought it perhaps by us; but I abstain from opinions.

The fourth resolution is, “that each of the said

colonies hath within itself a body chosen in part, or in the whole, by the freemen, freeholders, or other free inhabitants thereof, commonly called the general assembly, or general court with powers legally to raise, levy, and assess, according to the several usage of such colonies, duties and taxes towards defraying all sorts of public service”

This competence in the colony assemblies is certain. It is proved by the whole tenor of their acts of supply in all the assemblies, in which the constant style of granting is, “An aid to his majesty,” and acts, granting to the crown, has regularly, for near a century, passed the public offices without dispute. Those who have been pleased paradoxically to deny this right, holding that none but the British parliament can grant to the crown, are wished to look to what is done, not only in the colonies, but in Ireland, in one uniform unbroken tenor every session. Sir, I am surprised that this doctrine should come from some of the law servants of the crown. I say, that if the crown could be responsible, his majesty—but certainly the ministers are, even these law officers themselves, through whose hands the acts pass biennially in Ireland or annually in the colonies, in an habitual course of committing impeachable offences. What habitual offenders have been all presidents of the council, all secretaries of state, all first lords of trade, all attorneys, and all solicitors general! However, they are safe, as no one impeaches them, and there is no ground of charge against them, except in their own unfounded theories.

The fifth resolution is also a resolution of fact, “that the said general assemblies, general courts, or other bodies legally qualified as aforesaid, have at sundry times freely granted several large subsidies and public aids for his majesty’s service according to their abilities, when required thereto by letter from one of his majesty’s principal secretaries of state; and that their right to grant the same, and their cheerfulness and sufficiency in the said grants, have been at sundry times acknowledged by parliament.” To say nothing of their great expenses in the Indian wars; and not to take their exertion in foreign ones, so high as the supplies in the year 1695; not to go back to their public contributions in the year 1710; I shall begin to travel only where the journals give me light; resolved to deal in nothing but fact, authenticated by parliamentary record, and to build myself wholly on that solid basis.

On the fourth of April, 1748, a committee of this house came to the following resolution:

"RESOLVED, That it is the opinion of this committee, that it is just and reasonable that the several provinces and colonies of Massachusetts Bay, New Hampshire, Connecticut, and Rhode-Island, be reimbursed the expences they have been at in taking and securing to the crown of Great Britain, the island of Cape Breton, and its dependencies."

These expenses were immense for such colonies. They were above £200,000 sterling; money first raised and advanced on their public credit.

On the twenty-eighth of January, 1756, a message from the king came to us to this effect—"His majesty, being sensible of the zeal and vigor with which his subjects of certain colonies in North America have exerted themselves in defence of his majesty's just rights and possessions, recommends it to this house to take the same into their consideration, and to enable his majesty to give them such assistance as may be a proper reward and encouragement."

On the third of February, 1756, the house came to a suitable resolution, expressed in words nearly the same as those of the message; but with the farther addition, that the money they voted was as an encouragement to the colonies to exert themselves with vigor. It will not be necessary to go through all the testimonies which your own records have given to the truth of my resolutions. I will only refer you to the places in the journals:

Vol. XXVII.—16th and 19th of May, 1757.

Vol. XXVIII.—June 1st, 1758, April 26th and 30th, 1759.

March 26th and 31st, and April 28th, 1760.

January 9th and 20th, 1761.

Vol. XXIX.—Jan. 23d, and 26th, 1762; March 14th and 17th, 1763.

Sir, here is the repeated acknowledgement of parliament that the colonies not only gave, but gave to satiety. This nation has formerly acknowledged two things; first, that the colonies had gone beyond their abilities, parliament having thought it necessary to reimburse them; secondly, that they had acted legally and laudably in their grants of money, and their maintenance of troops, since the compensation is expressly given as a reward and encouragement. Reward is not bestowed for acts that are unlawful, and encouragement is not held out to things that deserve reprehension. My resolution, therefore, does nothing more than collect into one proposition what is scattered through your journals. I give you nothing but

— 31.

your own, and you cannot refuse in the gross, what you have so often acknowledged in detail. The admission of this, which will be so honorable to them and to you, will, indeed, be mortal to all the miserable stories, by which the passions of the misguided people have been engaged in an unhappy system. The people heard, indeed, from the beginning of these disputes, one thing continually dinning in their ears, that reason and justice demanded that the Americans, who paid no taxes, should be compelled to contribute. How did that fact of their paying nothing stand when the taxing system began? When Mr. Grenville began to form his system of American revenue, he stated, in this house, that the colonies were then in debt two millions six hundred thousand pounds sterling money, and was of opinion they would discharge the debt in four years. On this state, those untaxed people were actually subject to the payment of taxes to the amount of six hundred and fifty thousand a year. In fact, however, Mr. Grenville was mistaken. The funds given for sinking the debt did not prove quite so ample as both the colonies and he expected. The calculation was too sanguine. The reduction was not completed till some years after, and at different times in different colonies. However, the taxes after the war continued too great to bear any addition with prudence or propriety; and when the burthens imposed in consequence of former requisitions were discharged, our tone became too high to resort again to requisition. No colony, since that time, ever has had any requisition whatsoever made to it.

We see the sense of the crown, and the sense of parliament, on the productive nature of a revenue by grant. Now search the same journals for the produce of the revenue by imposition. Where is it? Let us know the volume and the page? What is the net produce? To what service is it applied? How have you appropriated its surplus? What, can none of the many skilful index makers, that we are now employing, find any trace of it? Well, let them and that rest together. But are the journals, which say nothing of the revenue, as silent on the discontent? O no! A child may find it. It is the melancholy burthen and blot of every page.

I think then I am, from those journals, justified in the sixth and last resolution, which is—"That it hath been found, by experience, that the manner of granting the said supplies and aids, by the said general assemblies, hath been more agreeable

to the said colonies, and more beneficial and conducive to the public service, than the mode of giving and granting aids in parliament, to be raised and paid in the same colonies. This makes the whole of the fundamental part of the plan. The conclusion is irresistible. You cannot say that you were driven by any necessity to an exercise of the utmost rights of legislature. You cannot assert that you took on yourselves the task of imposing colony taxes, from the want of another legal body, that is competent to the purpose of supplying the exigencies of the state, without wounding the prejudices of the people. Neither is it true that the body so qualified, and having that competence, had neglected the duty.

The question now, on all this accumulated matter, is, whether you will choose to abide by a profitable experience, or a mischievous theory; whether you choose to build on imagination or fact; whether you prefer enjoyment or hope; satisfaction in your subjects, or discontent.

If these propositions are accepted, every thing which has been made to enforce a contrary system, must, I take it for granted, fall along with it. On that ground, I have drawn the following resolution, which, when it comes to be moved, will naturally be divided in a proper manner: "That it may be proper to repeal an act, made in the seventh year of the reign of his present majesty, entitled, an act for granting certain duties in the British colonies and plantations in America; for allowing a drawback of the duties of customs upon the exportation from this kingdom of coffee and cocoa nuts, of the produce of the said colonies and plantations; for discontinuing the drawbacks payable on China earthen-ware exported to America, and for more effectually preventing the clandestine running of goods in the said colonies and plantations.—And that it may be proper to repeal an act made in the fourteenth year of the reign of his present majesty, entitled, an act to discontinue, in such manner, and for such time, as are therein mentioned, the landing and discharging, lading or shipping, of goods, wares, and merchandize, at the town and within the harbor of Boston, in the province of Massachusetts Bay, in North America.—And that it may be proper to repeal an act made in the fourteenth year of the reign of his present majesty, entitled, an act for the impartial administration of justice, in the cases of persons questioned for any acts done by them, in the execution of the law, or for the suppression of riots and tumults in the province of Massachusetts-Bay, in

New England.—And it may be proper to repeal an act made in the fourteenth year of the reign of his present majesty, entitled, an act for the better regulating the government of the province of the Massachusetts Bay, in New England.—And also that it may be proper to explain and amend an act, made in the thirty-fifth year of the reign of king Henry the eighth, entitled, an act for the trial of treasons committed out of the king's dominions."

I wish, sir, to repeal the Boston port bill, because (independently of the dangerous precedent of suspending the rights of the subjects during the king's pleasure) it was passed, as I apprehend, with less regularity, and on more partial principles than it ought. The corporation of Boston was not heard, before it was condemned. Other towns full as guilty as she was, have not had their ports blocked up. Even the restraining bill of the present session does not go to the length of the Boston port act. The same ideas of prudence, which induced you not to extend equal punishment to equal guilt, even when you were punishing, induce me, who mean not to chastise, but to reconcile, to be satisfied with the punishment already partially inflicted.

Ideas of prudence, and accommodation to circumstances, prevent you from taking away the charters of Connecticut and Rhode Island, as you have taken away that of Massachusetts colony, though the crown has far less power in the above two former provinces than it enjoyed in the latter, and though the abuses have been full as great, and as flagrant, in the exempted as in the punished. The same reasons of prudence and accommodation have weight with me in restoring the charter of the Massachusetts Bay. Besides, sir, the act which changes the charter of the Massachusetts-Bay is in many particulars so exceptionable, that if I did not wish absolutely to repeal, I would by all means desire to alter it, as several of its provisions tend to the subversion of all public and private justice. Such, among others, is the power in the governor to change the sheriff at his pleasure, and to make a new returning officer for every special cause. It is shameful to behold such a regulation standing among English laws.

The act for bringing persons, accused of committing murder, under the orders of government, to England for trial, is but temporary. That act has calculated the probable duration of our quarrel with the colonies, and is accommodated to that supposed duration. I would hasten the happy moment of reconciliation; and therefore must, on my

Principle, get rid of that most justly obnoxious act.

The act of Henry the eighth, for the trial of treasons, I do not mean to take away, but to confine it to its proper bounds and original intention; to make it expressly for trial of treasons, and the greatest treasons may be committed in places where the jurisdiction of the crown does not extend.

Having guarded the privileges of local legislation, I would next secure to the colonies a fair and unbiassed judicature; for which purpose, sir, I propose the following resolution: "That, from the time when the general assembly or general court of any colony or plantation in North America, shall have appointed, by act of assembly duly confirmed, a settled salary to the offices of the chief justice and other judges of the superior court, it may be proper that the said chief justice and other judges of the superior courts of such colony, shall hold his and their office and offices during their good behavior, and shall not be removed therefrom, but when the said removal shall be adjudged by his majesty, in council, upon a hearing or complaint from the general assembly, or on a complaint from the governor, or council, or the house of representatives severally, of the colony in which the said chief justice and other judges have exercised the said offices."

The next resolution relates to the courts of admiralty.

It is this. "That it may be proper to regulate the courts of admiralty, or vice admiralty, authorised by the fifteenth chapter of the fourth of George the third, in such a manner as to make the same more commodious to those who sue, or are sued in the said courts, and to provide for the more decent maintenance of the judges in the same."

These courts I do not wish to take away; they are in themselves proper establishments. This court is one of the capital securities of the act of navigation. The extent of its jurisdiction indeed has been increased; but this is altogether as proper, and is indeed, on many accounts, more eligible, where new powers were wanted, than a court absolutely new. But courts incommodiously situated, in effect, deny justice; and a court, partaking in all the fruits of its own condemnation, is a robber. The congress complain, and complain justly, of this grievance.\*

\*The solicitor general informed Mr. B. when the resolutions were separately moved, that the

These are the three consequential propositions. I have thought of two or three more, but they come rather too near detail, and to the province of executive government, which I wish parliament always to superintend, never to assume. If the first six are granted, congruity will carry the latter three. If not, the things that remain unrepealed, will be, I hope, rather unseemly incumbrances on the building than very materially detrimental to its strength and stability.

Here, sir, I should close, but that I plainly perceive some objections remain, which I ought, if possible, to remove. The first will be, that, in resorting to the doctrine of our ancestors, as contained in the preamble to the Chester act, I prove too much; that the grievance from a want of representation, stated in that preamble, goes to the whole of legislation as well as to taxation. And that the colonies, grounding themselves upon that doctrine, will apply it to all parts of legislative authority.

To this objection, with all possible deference and humility, and wishing as little as any man living to impair the smallest particle of our supreme authority, I answer, that the words are the words of parliament, and not mine; and that all false and inconclusive inferences drawn from them, are not mine; for I heartily disclaim any such inference. I have chosen the words of an act of parliament, which Mr. Grenville, surely a tolerably zealous and very judicious advocate for the sovereignty of parliament, formerly moved to have read at your table, in confirmation of his tenets. It is true that lord Chatham considered these preambles as declaring strongly in favor of his opinion. He was a no less powerful advocate for the privileges of the Americans. Ought I not from hence to presume, that these preambles are as favorable as possible to both, when properly understood; favorable both to the rights of parliament, and the privilege of the dependencies of this crown? But, sir, the object of grievance in my resolution, I have not taken from the Chester but from the Durham act, which confines the hardship of want of representation to the case of subsidies; and which therefore falls in exactly with the case of the colonies. But whether the unrepresented counties were de jure or de facto bound, the preambles do not accurately distinguish; nor indeed was it necessary, for, whether de jure or de facto, the legislature thought the exercise of

grievance of the judges, partaking of the profits of some of the securities, had been redressed by office; accordingly the resolution was amended.



the power of taxing as of right, or as fact without right, equally a grievance, and equally oppressive.

I do not know that the colonies have, in any general way, or in any cool hour, gone much beyond the demand of immunity in relation to taxes. It is not fair to judge of the temper or dispositions of any man, or any set of men, when they are composed and at rest, from their conduct or their expressions in a state of disturbance and irritation. It is besides a very great mistake to imagine, that mankind follow up practically any speculative principle, either of government or of freedom, as far as it will go in argument and logical relation. We Englishmen stop very short of the principles upon which we support any given part of our constitution, or even the whole of it together. I could easily, if I had not already tired you, give you very striking and convincing instances of it. This is nothing but what is natural and proper. All government, indeed every human benefit and enjoyment, every virtue, and every prudent act, is founded on compromise and barter. We balance inconveniences, we give and take; we remit some rights that we may enjoy others; and we choose rather to be happy citizens than subtle disputants. And we must give away some natural liberty to enjoy civil advantages; so we must sacrifice some civil liberties, for the advantages to be derived from the communion and fellowship of a great empire. But in all fair dealings, the thing bought must bear some proportion to the purchase paid. None will barter away the immediate jewel of his soul. Though a great house is apt to make slaves haughty, yet it is purchasing a part of the artificial importance of a great empire too dear, to pay for it all essential rights, and all the intrinsic dignity of human nature. None of us who would not risk his life, rather than fall under a government purely arbitrary. But, although there are some amongst us who think our constitution wants many improvements, to make it a complete system of liberty, perhaps none who are of that opinion, would think it right to aim at such improvement, by disturbing this country, and risking every thing that is dear to him. In every arduous enterprise we consider what we are to lose, as well as what we are to gain; and the more and better stake of liberty every people possess, the less they will hazard in a vain attempt to make it more. These are the cords of man. Man acts from adequate motives relative to his interest, and not on metaphysical speculations. Aristotle, the great master of reasoning, cautions us, and with

great weight and propriety, against this species of delusive geometrical accuracy in moral arguments, as the most fallacious of all sophistry.

The Americans will have no interest contrary to the grandeur and glory of England, when they are not oppressed by the weight of it, and they will rather be inclined to respect the acts of a superintending legislature, when they see them the acts of that power, which is itself the security, not the rival, of their secondary importance. In this assurance, my mind most perfectly acquiesces; and I confess I feel not the least alarm, from the contents which are to arise from putting people at their ease; nor do I apprehend the destruction of this empire, from giving, by an act of free grace and indulgence, to two millions of my fellow-citizens, some share of those rights upon which I have always been taught to value myself.

It is said indeed that this power of granting, vested in American assemblies, would dissolve the unity of the empire, which was preserved entire, although Wales, Chester, and Durham were added to it. Truly, Mr. Speaker, I do not know what this unity means; nor has it ever been heard of, that I know, in the constitutional policy of this country. The very idea of subordination of parts excludes this notion of simple and undivided unity. England is the head; but she is not the head and the members too. Ireland has ever had, from the beginning, a separate, but not an independent, legislature; which, far from distracting, promoted the union of the whole. Every thing was sweetly and harmoniously disposed through both islands for the conversation of English dominion, and the communication of English liberties. I do not see that the same principles might not be carried into twenty islands, and with the same good effect. This is my model with regard to America, as far as the internal circumstances of the two countries are the same. I know no other unity of this empire, than I can draw from its example during these periods when it seemed, to my poor understanding, more united than it is now, or than it is likely to be by the present methods.

But since I speak of these methods, I recollect, Mr. Speaker, almost too late, that I promised, before I finished, to say something of the proposition of the noble lord on the floor, which has been so lately received, and stands on your journals. I must be deeply concerned, whenever it is my misfortune to continue a difference with the majority of this house. But as the reasons for that difference

\*Lord North.

are my apology for thus troubling you, suffer me to state them in a very few words. I shall compress them in as small a body as I possibly can, having already debated that matter at large, when the question was before the committee.

First then, I cannot admit that proposition of a ransom by auction—because it is a mere project. It is a thing new, unheard of, supported by no experience, justified by no analogy, without example of our ancestors, or root in the constitution. It is neither regular parliamentary taxation, nor colony grant. Experimentum in corpore vile, is a good rule, which will ever make me adverse to any trial of experiments on what is certainly the most valuable of all subjects, the peace of this empire.

Secondly, it is an experiment which must be fatal, in the end, to our constitution. For what is it but a scheme for taxing the colonies in the antichamber of the noble lord and his successors? To settle the quotas and proportions in this house is clearly impossible. You, sir, may flatter yourself, you shall sit a state auctioneer, with your hammer in your hand, and knock down to each colony as it bids. But to settle (on the plan laid down by the noble lord) the true proportional payment for four or five and twenty governments, according to the absolute and relative wealth of each, and according to the British proportion of wealth and burthen, is a wild and chimerical notion. This new taxation must therefore come in by the back door of the constitution. Each quota must be brought to this house ready formed; you can neither add nor alter. You must register it. You can do nothing farther. For on what grounds can you deliberate, either before or after the proposition? You cannot hear the counsel for all these provinces quarrelling each on its own quantity of payment, and its proportion to others. If you should attempt it, the committee of provincial ways and means, or by whatever other name it will delight to be called, must swallow up all the time of parliament.

Thirdly, it does not give satisfaction to the complaint of the colonies. They complain that they are taxed without their consent, you answer, that you will fix the sum at which they shall be taxed. That is, you give them the very grievance for the remedy. You tell them, indeed, that you will leave the mode to themselves. I really beg pardon—it gives me pain to mention it—but you must be sensible that you will not perform this part of the compact. For, suppose the colonies

were to lay the duties, which furnished their contingent, upon the importation of your manufactures, you know you would never suffer such a tax to be laid. You know too, that you would not suffer many other modes of taxation. So that, when you come to explain yourself, it will be found that you will neither leave to themselves the quantum, nor the mode, nor indeed any thing. The whole is delusion from one end to the other.

Fourthly, this method of ransom by auction (unless it be universally accepted) will plunge you into great and inextricable difficulties. In what year of our Lord are the proportions of payments to be settled? To say nothing of the impossibility, that colony agents should have general powers of taxing the colonies at their discretion, consider, I implore you, that the communication, by special messages and orders, between these agents and their constituents, on each variation of the case, when the parties come to contend together, and to dispute on their relative proportions, will be a matter of delay, perplexity, and confusion that can never have an end.

If all the colonies do not appear at the outcry, what is the condition of those assemblies who offer, by themselves or their agents, to tax themselves up to your ideas of their proportion? The refractory colonies, who refuse all composition, will remain taxed only to your old impositions; which, however grievous in principle, are trifling as to production. The obedient colonies in this scheme are heavily taxed. The refractory remain unburthened. What will you do? Will you lay new and heavier taxes by parliament on the disobedient? Pray consider in what way you can do it? You are perfectly convinced that in the way of taxing you can do nothing but at the ports. Now suppose it is Virginia that refuses to appear at your auction, while Maryland and North Carolina bid handsomely for their ransom, and are taxed to your quota? How will you put these colonies on a par? Will you tax the tobacco of Virginia? If you do, you give it its dead wound to your English revenue at home, and to one of the very greatest articles of your own foreign trade. If you tax the import of that rebellious colony, what do you tax but your own manufactures, or the goods of some other obedient, and already well taxed colony? Who has said one word on this labyrinth of detail, which bewilders you more and more as you enter into it? Who has presented, who can present you with a clew to lead you out of it? I think, sir, it is impossible that you should not recollect that the

colony bounds are so implicated in one another (you know it by your other experiments in the bill for prohibiting the New England fishery) that you can lay no possible restraints on almost any of them, which may not be presently eluded, if you do not confound the innocent with the guilty, and burthen those whom upon every principle you ought to exonerate. He must be grossly ignorant of America, who thinks that, without falling into this confusion of all rules of equity and policy, you can restrain any single colony, especially Virginia and Maryland, the central and most important of them all.

Let it also be considered, that either in the present confusion you settle a permanent contingent, which will and must be trifling, (and then you have no effectual revenue), or you change the quota at every exigency, and then on every new reparation you will have a new quarrel.

Reflect besides, that when you have fixed a quota for every colony, you have not provided for prompt and punctual payment. Suppose one, two, five, ten years arrears. You cannot issue a treasury extent against the failing colony. You must make new Boston ports bills, new restraining laws, new acts for dragging men to England for trial. You must send out new fleets, new armies. All is to begin again. From this day forward the empire is never to know an hour's tranquility. An intestine fire will be kept alive in the bowels of the colonies, which one time or other must consume this whole empire. I allow indeed that the empire of Germany raises her revenue and her troops by quotas and contingents; but the revenue of the empire, and the army of the empire, is the worst revenue and the worst army in the world.

Instead of a standing revenue, you will therefore have a perpetual quarrel. Indeed, the noble lord, who proposed this project of a ransom by auction, seemed himself to be of that opinion. His project was rather designed for breaking the union of the colonies, than for establishing a revenue.—He confessed, he apprehended, that his proposal would not be to their taste. I say, this scheme of disunion seems to be at the bottom of the project; for I will not suspect that the noble lord meant nothing but merely to delude the nation by an airy phantom, which he never intended to realize. But whatever his views may be, as I propose the peace and union of the colonies as the very foundation of my plan, it cannot with one, whose foundation is perpetual, descend.

Compare the two. This I offer to give you in plain and simple; the other full of perplexed and intricate mazes. This is mild, that harsh. This is found by experience effectual for its purposes; the other is a new object. This is universal, the other calculated for certain colonies only. This is immediate in its conciliatory operation; the other remote, contingent, full of hazard. Mine is what becomes the dignity of a ruling people; gratuitous, unconditional, and not held out as a matter of bargain and sale. I have done my duty in proposing it to you. I have indeed tired you by a long discourse; but this is the misfortune of those to whose influence nothing will be conceded, and who must win every inch of their ground by argument. You have heard me with goodness; may you decide with wisdom! for my part, I feel my mind greatly disburthened, by what I have done to day. I have been the less fearful of trying your patience, because, on this subject, I mean to spare it altogether in future. I have this comfort, that in every stage of the American affairs, I have steadily opposed the measures that have produced the confusion, and may bring on the destruction of this empire. I now go so far as to require a proposal of my own. If I cannot give peace to my country, I give it my conscience.

But what (says the financier) is peace to us without money? Your plan gives us no revenue. No! But it does—for it secures to the subject the power of REFUSAL; the first of all revenues.—Experience is a cheat, and fact a liar, if this power in the subject of proportioning his grant, or of not granting at all, has not been found the richest mine of revenue ever discovered by the skill or by the fortune of man. It does not indeed vote you one hundred and fifty-two thousand seven hundred and fifty pounds eleven shillings and twopence three farthings, nor any other paltry limited sum.—But it gives the strong box itself, the fund, the bank from whence only revenues can arise amongst a people sensible of freedom: *Posita luditur arca*. Cannot you in England, cannot you at this time of day; cannot you (an house of commons) trust to the principle which has raised so mighty a revenue, and accumulated a debt of near one hundred and forty millions in this country! Is this principle to be true in England, and false every where else? Is it not true in Ireland? Has it not hitherto been true in the colonies? Why should you presume, that in any country a body, duly constituted for any function, will neglect to perform its duty, and abdicate its trust? Such a presumption would go against all government, in all modes. But, in truth,

this dread of penury of supply, from a free assembly, has no foundation in nature. For, first observe, that besides the desire which all men have naturally of supporting the honor of their own government, that sense of dignity, and that security to property, which ever attends freedom, has a tendency to increase the stock of the free community. Most may be taken where most is accumulated. And what is the soil or climate where experience has not uniformly proved, that the voluntary flow of heaped up plenty, bursting from the weight of its own rich luxuriance, has ever run with a more copious stream of revenue, than could be squeezed from the dry husks of oppressed indigence, by the straining of all the political machinery in the world.

Next we know that parties must ever exist in a free country. We know too, that the emulations of such parties, their contradictions, their reciprocal necessities, their hopes, and their fears, must send them all in their turns to him that holds the balance of the state. The parties are the gamsters; but government keeps the table, and is sure to be the winner in the end. When this game is played, I really think it is more to be feared, that the people will be exhausted, than that government will not be supplied. Whereas, whatever is got by acts of absolute power ill obeyed, because odious, or by contracts ill kept, because constrained, will be narrow, feeble, uncertain, and precarious. "Ease would retract vows made in pain, as violent and void."

I, for one, protest against compounding our demands; I declare against compounding, for a poor limited sum, the immense, ever growing, eternal debt, which is due to generous government from protected freedom. And so may I speed in the great object I propose to you, as I think it would not only be an act of injustice, but would be the worst economy in the world, to compel the colonies to a certain sum, either in the way of ransom, or in the way of compulsory compact.

But to clear up my ideas on this subject, a revenue from America transmitted hither—do not delude yourselves—you never can receive it—no, not a shilling. We have experienced that, from remote countries, it is not to be expected. If, when you attempted to extract a revenue from Bengal, you were obliged to return in iron what you had taken in imposition, what can you expect from North America? For certainly, if ever there was a country qualified to produce wealth, it is

India; or an institution fit for the transmission, it is the East-India company. America has none of these aptitudes. If America gives you taxable objects, on which you lay your duties here, and gives you, at the same time, a surplus by a foreign sale of her commodities, to pay the duties on these objects, which you tax at home, she has performed her part to the British revenue. But with regard to her own internal establishments, she may, I doubt not she will, contribute in moderation. I say in moderation; for she ought not to be permitted to exhaust herself. She ought to be reserved to a war; the weight of which, with the enemies that we are most likely to have, must be considerable in her quarter of the globe. There she may serve you, and serve you essentially.

For that service, for all service, whether of revenue, trade, or empire, my trust is in her interest in the British constitution. My hold of the colonies is in the close affection which grows from common names, from kindred blood, from similar privileges, and equal protection. These are ties which, though light as air, are as strong as links of iron. Let the colonies always keep the idea of their civil rights associated with your government; they will cling and grapple to you; and no force under Heaven will be of power to tear them from their allegiance. But let it once be understood, that your government may be one thing, and their privileges another, that these two things may exist without any mutual relation, the cement is gone; the cohesion is loosened; and every thing hastens to decay and dissolution. As long as you have wisdom to keep the sovereign authority of this country as the sanctuary of liberty, the sacred temple consecrated to our common faith, wherever the chosen race and sons of England worship freedom, they will turn their faces towards you.

The more they multiply, the more friends you will have; the more ardently they love liberty, the more perfect will be their obedience. Slavery they can have any where. It is a weed that grows in every soil. They may have it from Spain, they may have it from Prussia. But until you become lost to all feeling of your true interest, and your natural dignity, freedom they can have from none but you. This is the commodity of price, of which you have the monopoly. This is the true act of navigation, which binds to you the commerce of the colonies, and through them secures to you the wealth of the world. Deny them this participation of freedom and you break that sole bond, which originally made, and must still preserve,

the unity of the empire. Do not entertain so weak an imagination, as that your registers and your bonds, your affidavits and your sufferances, your cockets and your clearances, are what form the great securities of your commerce. Do not dream, that your letters of office, and your instructions, and your suspending clauses are the things that hold together the great contexture of this mysterious whole. These things do not make your government. Dead instruments, passive tools as they are, it is the spirit of English communion that gives all their life and efficacy to them. It is the spirit of the English constitution, which, infused through the mighty mass, pervades, feeds, invigorates, vivifies, every part of the empire, even down to the minutest member.

Is it not the same virtue which does every thing for us here in England? Do you imagine then, that it is the land tax act which raises your revenue? that it is the annual vote in the committee of supply, which gives you your army? or that it is the mutiny bill which inspires it with bravery and discipline? No! surely no! It is the love of the people, it is their attachment to their government, from the sense of the deep stake they have in such a glorious institution, which gives you your army and your navy, and infuses into both that liberal obedience, without which your army would be a base rabble, and your navy nothing but rotten timber.

All this, I know well enough, will sound wild and chimerical to the profane herd of those vulgar and mechancial politicians, who have no place among us; a sort of people who think that nothing exists but what is gross and material; and who therefore, far from being qualified to be directors of the great movement of empire, are not fit to turn a wheel in the machine. But to men truly initiated and rightly taught, these ruling and master principles, which, in the opinion of such men as I have mentioned, have no substantial existence, are in truth every thing, and all in all. Magnanimity in politics is not seldom the truest wisdom; and a great empire and little minds go ill together. If we are conscious of our situation, and glow with zeal to fill our place as becomes our station and ourselves, we ought to auspicate all our public proceedings on America, with the old warning of the church, *suavum cornu*! We ought to elevate our minds to the greatness of that trust to which the order of Providence has called us. By advert- ing to the dignity of this high calling, our ances- tors have turned a savage wilderness into a glorious

empire; and have made the most extensive, and the only honorable conquests; not by destroying, but by promoting, the wealth, the number, the happiness, of the human race. Let us get an American revenue as we have got an American empire. English privileges have made it all that it is; English privileges alone will make it all it can be. In full confidence of this unalterable truth, I now (*quod felix faustumque sit*) lay the first stone of the temple of peace; and I move to you.

"That the colonies and plantations of Great Britain, in North America, consisting of fourteen separate governments and containing two millions and upwards of free inhabitants, have not had the right and privilege of electing and sending their knights and burgesses, or others, to represent in the high court of parliament."

Upon this resolution the previous question was put, and carried; for the previous question 270, against it 78.

NEWBURN, (NORTH CAROLINA) Sept. 20, 1775.

*In provincial congress.—The following address to the inhabitants of the British empire being presented, was unanimously received and approved, and is as follows, viz.*

TO THE INHABITANTS OF THE BRITISH EMPIRE.

"Friends and fellow-citizens.—The fate of the contest which at present subsists between these American colonies and the British ministers who now sit at the helm of public affairs, will be one of the most important epochs which can mark the annals of the British history. Foreign nations with anxious expectation wait the result, and see with amazement the blind infatuated policy which the present administration pursues to subjugate these colonies, and reduce them from being loyal and useful subjects, to an absolute dependence and abject slavery; as if the descendants of those ancestors who have shed rivers of blood, and expended millions of treasure, in fixing upon a lasting foundation the liberties of the British constitution, saw with envy the once happy state of this western region, and strove to exterminate the patterns of those virtues which shone with a lustre which bid fair to rival and eclipse their own.

"To enjoy the fruits of our own honest industry: to call that our own which we earn with the labor of our hands, and the sweat of our brows; to regulate that internal policy by which we, and not they, are to be affected, these are the mighty boons we ask: And traitors, rebels, and every harsh appellation that malice can dictate, or the virulence

of language express, are the returns which we receive to the most humble petitions and earnest supplications. We have been told that independence is our object; that we seek to shake off all connection with the parent state. Cruel suggestion! Do not all our professions, all our actions, uniformly contradict this?

"We again declare, and we invoke that Almighty Being who searches the recesses of the human heart, and knows our most secret intentions, that it is our most earnest wish and prayer to be restored, with the other United Colonies, to the state in which we and they were placed before the year 1763, disposed to glance over any regulations which Britain had made previous to this, and which seem to be injurious and oppressive to these colonies, hoping that, at some future day, she will benignly interpose, and remove from us every cause of complaint.

"Whenever we have departed from the forms of the constitution, our own safety and self-preservation have dictated the expedient; and if, in any instances, we have assumed powers which the laws invest in the sovereign or his representatives, it has been only in defence of our persons, properties, and those rights which God and the constitution have made unalienably ours. As soon as the cause of our fears and apprehensions are removed, with joy will we return these powers to their regular channels; and such institutions formed from mere necessity, shall end with that necessity which created them.

"These expressions flow from an affection bordering upon devotion to the succession of the house of Hanover, as by law established, from subjects who view it as a monument that does honor to human nature; a monument capable of teaching kings how glorious it is to reign over a free people. These are the heart-felt effusions of men ever ready to spend their blood and treasure, when constitutionally called upon, in support of that succession of his majesty king George the third, his crown and dignity, and who fervently wish to transmit his reign to future ages as the era of common happiness to his people. Could these our sentiments reach the throne, surely our sovereign would forbid the horrors of war and desolation to intrude into this once peaceful and happy land, and would stop that deluge of human blood which now threatens to overflow this colony; blood too precious to be shed but in a common cause, against the common enemy of Great Britain and her sons.

"This declaration we hold forth as a testimony of loyalty to our sovereign, and affection to our parent state, and as a sincere earnest of our present and future intentions.

"We hope hereby to reserve those impressions which have been made by the representations of weak and wicked men to the prejudice of this colony, who thereby intended that the rectitude of our designs might be brought into distrust, and sedition, anarchy, and confusion, spread through this loyal province.

"We have discharged a duty which we owe to the world, to ourselves, and posterity; and may the Almighty God give success to the means we make use of, so far as they are aimed to produce just, lawful, and good purposes, and the salvation and happiness of the whole British empire."

*Saturday, November 11, 1775.*

**HOUSE OF LORDS.**—The lords were yesterday assembled for the purposes of examining governor Penn, and of discussing a motion which the duke of Richmond proposed to ground on such information as that gentleman should afford the house.

Previous to the calling of Mr. Penn to the bar, the duke of Richmond announced the mode he had adopted preparatory to the governor's examination. His grace confessed, "That he had apprized Mr. Penn of the questions which would be propounded to him, but the noble duke disclaimed having entered into any sort of conversation with the governor, lest such conversation should be malevolently construed into a design of anticipating the answers Mr. Penn might think proper to return."

The duke of Richmond having finished his preliminary remarks, Mr. Penn was called to the bar, and interrogated nearly to the following purport:

Q. How long had he resided in America?

A. Four years. Two of those years in the capacity of governor of Pennsylvania.

Q. Was he acquainted with any of the members of the continental congress?

A. He was personally acquainted with all the members of that congress.

Q. In what estimation was the congress held?

A. In the highest veneration imaginable by all ranks and orders of men.

Q. Was an implicit obedience paid to the resolutions of that congress throughout all the provinces?

A. He believed this to be the case.

Q. How many men had been raised throughout the province of Pennsylvania?

A. Twenty thousand effective men had voluntarily enrolled themselves to enter into actual service if necessity required.

Q. Of what rank, quality, and condition were these persons?

A. Men of the most respectable characters in the province.

Q. Were not a considerable number of them entirely destitute of property?

A. It was presumed that, subtracted from so large a number as 20,000, there were some necessitous, but the major part were in flourishing situations.

Q. Besides those 20,000, who voluntarily enrolled themselves to act as exigencies might require, what other forces had the provincials of Pennsylvania raised?

A. Four thousand minute-men, whose duty was pointed out by their designation. They were to be ready for service at a minute's warning.

Q. Did the province of Pennsylvania grow corn sufficient for the supply of its inhabitants?

A. Much more than sufficient, there was a surplus for exportation if required.

Q. Were they capable of making gunpowder in Pennsylvania?

A. They perfectly well understood the art, and had effected it.

Q. Could salt-petre be made in the province?

A. It could; mills and other instruments for effecting such an undertaking had been erected with success.

Q. Could cannon be cast in Pennsylvania?

A. The art of casting cannon had been carried to great perfection; they were amply furnished with iron for that purpose.

Q. Could small arms be made to any degree of perfection?

A. To as great a degree of perfection as could be imagined. The workmanship employed in finishing the small arms was universally admired for its excellence.

Q. Were the Americans expert in ship-building?

A. More so than the Europeans.

Q. To what extent of tonnage did the largest of their shipping amount?

A. A ship of about three hundred tons was the largest they were known to build.

Q. Circumstanced as things at present were, did the witness think, that the language of the congress expressed the sense of the people in America in general?

A. As far as the question applied to Pennsylvania, he was sure this was the case; for the other pro-

vinces, he replied in the affirmative from information only.

Q. Did he suppose that the congress contained delegates fairly nominated by the choice of the people?

A. He had no doubt but that the congress did contain delegates chosen under this description.

Q. By what mode were the delegates in congress appointed?

A. By the votes of assemblies in some places, by ballot in others.

Q. In what light had the petition, which the witness had presented to the king, been considered by the Americans?

A. The petition had been considered as an olive branch, and the witness had been complimented by his friends, as the messenger of peace.

Q. On the supposition that the prayer of this petition should be rejected, what did the witness imagine would be the consequence?

A. That the Americans, who placed much reliance on the petition, would be driven to desperation by its non-success.

Q. Did the witness imagine, that sooner than yield to what were supposed to be unjust claims of Great Britain, the Americans would take the desperate resolution of calling in the aid of foreign assistance?

A. The witness was apprehensive that this would be the case.

Q. What did the witness recollect of the stamp act?

A. That it caused great uneasiness throughout America.

Q. What did the witness recollect, concerning the repeal of that act?

A. The anniversary of that memorable day is kept throughout America, by every testimony of public rejoicing, such as bonfires, illuminations, and other exhibitions of gladness.

Q. Would not the neglect with which the last petition was treated induce the Americans to resign all hopes of pacific negotiations?

A. In the opinion of the witness it would.

Q. When the witness presented the petition to the secretary of state, was he asked any questions relative to the state of America?

A. Not a single question.

CROSS EXAMINED BY THE LORDS DENBIGH AND SANDWICH.

QUERIES FROM LORD DENBIGH.

As the witness had acted in the capacity of governor, was he well acquainted with the charter of Pennsylvania?

A. He had read the charter, and was well acquainted with its contents.

Q. Did he know that there was a clause which specifically subjected the colony to taxation by the British legislature?

A. He was well apprised that there was such a clause.

Q. Were the people of Pennsylvania content with their charter?

A. Perfectly content.

Q. Then did they not acquiesce in the right of the British parliament to enforce taxation?

A. They acquiesced in a declaration of the right, so long as they experienced no inconvenience from the declaration.

QUERIES FROM LORD SANDWICH.

Q. Had the witness ever heard of an act entitled, "The declaratory act?"

A. He had heard of such an act.

Q. Did he ever peruse, and was he sufficiently acquainted with the contents of that act?

A. He never had perused it. It never had been much discussed whilst he resided in America.

Q. Did the witness apprehend that the congress acquiesced in an act which maintained the authority of the British parliament in all cases whatsoever?

Objected to, and the witness was desired to withdraw; but being called in again, the question was put, and he replied:

That, except in the case of TAXATION, he apprehended the Americans would have no objection to acknowledge the sovereignty of Great Britain.

Q. Had the witness any knowledge of certain resolutions passed by the county of Suffolk?

A. He had not attended to them.

Q. Had the witness any knowledge of an answer given by the continental congress, to what had been commonly called lord North's conciliatory motion?

A. The witness knew nothing of the proceedings of the congress, they were generally transacted under the seal of secrecy.

Q. Was the witness personally acquainted with Mr. Harrison, a member of the congress?

A. The witness knew him well.

Q. What character did he bear?

A. A very respectable one.

Q. Had the witness ever heard of any persons who had suffered persecutions, for declaring sentiments favorable to the supremacy of the British parliament?

A. He had heard of such oppressions in other

provinces, but never met with them during his residence in Pennsylvania.

Q. In the opinion of the witness, were the Americans now free?

A. They imagined themselves to be so.

Q. In case a formidable force should be sent to America, in support of government, did the witness imagine there were many who would openly profess submission to the authority of parliament?

A. The witness apprehended the few who would join on such an occasion would be too trivial a number to be of any consequence.

Mr. Penn was then ordered to withdraw, and the duke of Richmond, after descanting with singular propriety on the necessity of immediate conciliation, proposed the last petition from the continental congress to the king, as a basis for a plan of accommodation. His grace of Richmond moved, "That the preceding paper furnished grounds of conciliation of the unhappy differences at present subsisting between Great Britain and America, and that some mode should be immediately adopted, for the effectuating so desirable a purpose."

This produced a debate, supported on both sides with infinite ingenuity. The numbers were:

For the motion 27—Proxies 6—33

Against the motion 50—Proxies 36—86

Majority against the motion 53

*In the Virginia convention—present 112 members.*

Wednesday, May 15, 1776.

FORASMUCH as all the endeavors of the UNITED COLONIES, by the most decent representations and petitions to the king and parliament of Great Britain, to restore peace and security to America under the British government, and a re-union with that people upon just and liberal terms, instead of a redress of grievances, have produced, from an imperious and vindictive administration, increased insult, oppression, and a vigorous attempt to effect our total destruction. By a late act, all these colonies are declared to be in rebellion, and out of the protection of the British crown, our properties subject to confiscation, our people, when captivated, compelled to join in the murder and plunder of their relations and countrymen, and all former rapine and oppression of Americans declared legal and just. Fleets and armies are raised, and the aid of foreign troops engaged to assist these destructive purposes. The king's representative in this colony hath not only withheld all the powers of government from operating for our safety, but, having retired on board an armed ship, is carrying on a



piratical and savage war against us, tempting our slaves, by every artifice, to resort to him, and training and employing them against their masters. In this state of extreme danger, we have no alternative left but an abject submission to the will of those overbearing tyrants, or a total separation from the crown and government of Great Britain, uniting and exerting the strength of all America for defence, and forming alliances with foreign powers for commerce and aid in war: Wherefore, appealing to the *Searcher of hearts* for the sincerity of former declarations, expressing our desire to preserve the connexion with that nation, and that we are driven from that inclination by their wicked councils, and the eternal laws of self-preservation.

**RESOLVED, UNAN.** That the delegates appointed to represent this colony in general congress be instructed to propose to that respectable body to declare the United Colonies free and independent states, absolved from all allegiance to, or dependence upon, the crown or parliament of Great Britain; and that they give the assent of this colony to such declaration, and to whatever measures may be thought proper and necessary by the congress for forming foreign alliances, and A CONFEDERATION OF THE COLONIES, at such time, and in the manner, as to them shall seem best. Provided, that the power of forming government for, and the regulations of the internal concerns of each colony, be left to the respective colonial legislatures.

**RESOLVED, UNAN.** That a committee be appointed to prepare A DECLARATION OF RIGHTS, and such a plan of government as will be most likely to maintain peace and order in this colony, and secure substantial and equal liberty to the people.

EDMUND PENDLETON, *president*.

(A COPY)

JOHN TAZEWELL, clerk of the convention.

In consequence of the above resolution, universally regarded as the only door which will lead to safety and prosperity, some gentlemen made a handsome collection for the purpose of treating the soldiery, who next day were paraded in Waller's grove, before brigadier general Lewis, attended by the gentlemen of the committee of safety, the members of the general convention, the inhabitants of this city, &c. &c. The resolution being read aloud to the army, the following toasts were given, each of them accompanied by a discharge of the artillery and small arms, and the acclamations of all present:

1. The American independent states.
2. The grand congress of the United States, and their respective legislatures.

3. General Washington, and victory to the American arms.

The UNION FLAG of the American states waved upon the capitol during the whole of this ceremony, which being ended, the soldiers partook of the refreshment prepared for them by the affection of their countrymen, and the evening concluded with illuminations, and other demonstrations of joy; every one seeming pleased that the domination of Great Britain was now at an end, so wickedly and tyrannically exercised for these twelve or thirteen years past, notwithstanding our repeated prayers and remonstrances for redress.

*The declaration of the deputies of Pennsylvania, met in provincial conference, at Philadelphia, June 24, 1776.*

Whereas George the third, king of Great Britain, &c. in violation of the principles of the British constitution, and of the laws of justice and humanity, hath, by an accumulation of oppressions, unparalleled in history, excluded the inhabitants of this, with the other American colonies, from his protection; and whereas he hath paid no regard to any of our numerous and dutiful petitions for redress of our complicated grievances, but hath lately purchased foreign troops to assist in enslaving us, and hath excited the savages of this country to carry on a war against us, as also the negroes, to embroil their hands in the blood of their masters, in a manner unpractised by civilized nations; and moreover hath lately insulted our calamities by declaring, that he will shew us no mercy, until he has subdued us; and whereas, the obligations of allegiance (being reciprocal between a king and his subjects) are now dissolved, on the side of the colonists, by the despotism and declaration of the said king, insomuch that it appears that loyalty to him is treason against the good people of this country; and whereas not only the parliament, but there is reason to believe, too many of the people of Great Britain, have concurred in the aforesaid arbitrary and unjust proceedings against us; and whereas the public virtue of this colony (so essential to its liberty and happiness) must be endangered by a future political union with, or dependence upon a crown and nation, so lost to justice, patriotism, and magnanimity: *We, the deputies of the people of Pennsylvania, assembled in full provincial conference, for forming a plan for executing the resolve of congress of the 15th of May last, for suppressing all authority in this province, derived from the crown of Great Britain, and for establishing a government upon the authority*

people only, *do*, in this public manner, in  
of ourselves, and with the approbation, con-  
d authority of our constituents, *unanimously*  
our willingness to concur in a vote of the  
s, declaring the United Colonies *free and*  
*tent states*; provided, the forming the go-  
at and the regulation of the internal police  
colony, be always reserved to the people of  
l colony. And we do further call upon the  
of Europe, and appeal to the Great Arbitr  
ernor of the empires of the world, to wit-  
us, that this declaration did not originate  
tion, or in an impatience of lawful authority,  
t we were driven to it in obedience to the  
inciples of nature, by the oppressions and  
s of the aforesaid king and parliament of  
Britain, as the only possible measure that  
t us to preserve and establish our liberties,  
transmit them inviolate to posterity.

Signed, by order of the conference,  
THOMAS M'KEAN, *president*.

STATE OF MASSACHUSETTS BAY.

*house of representatives, January 26, 1777.*  
d, That the following address be printed,  
a copy thereof sent to each minister of the  
el within this state, to whom it is recommend-  
read the same the next Lord's day after he  
receive it, to his people, immediately after  
eligious exercises of the day are over. And  
that a copy thereof be sent to the command-  
fficer of each company of the militia while  
are under arms, for the purpose of recruiting  
Army.

TO THE PEOPLE OF MASSACHUSETTS BAY.

*ide and countrymen*—When a people, within  
of the highest temporal happiness human  
is capable of, are in danger of having it  
d from them by an enemy whose paths are  
l with blood, and an insupportable load of  
, which succeeding generations must bear  
a painful centuries of time, is offered in-  
f it, to rouse the brave, invite the generous,  
n the slow, and awaken all to a sense of  
langer, is a measure as friendly as it is im-  
t.

danger of having your towns, your families,  
uitful fields, and all the riches and blessings  
l from the industry and wisdom of your  
le ancestors, who may justly be ranked  
the most virtuous and brave men that the  
ever produced, ravished from you, and  
ed by a banditti whom no laws can controul,

and whose aim is to trample upon all the rights of  
humanity, would be sufficient to give the coward  
courage, and animate to the greatest feats in arms  
the most supine and indolent.—Surely then, while  
America, the asylum of happiness and freedom, is  
infested with a foe, whose sole aim is to rifle her  
sons of every enjoyment that can render life desira-  
ble, you will be ready in arms to defend your coun-  
try, your liberty, your wives, your children and  
possessions, from rapine, abuse and destruction.

From this grand and noble purpose, so worthy  
of the virtuous and brave, and we humbly trust, so  
pleasing to Almighty God, you have had your  
delegates assembled in council for several years  
past. For this, in April 1775, you arrayed your-  
selves in arms, defeated and put to flight that band  
of Britons, who, uninjured and unoffended, like  
robbers and murderers, dared to assault your peace-  
ful mansions; and for this, we trust, you will be at  
all times ready to spend your blood and treasure.

In addressing you upon the important subject of  
your own defence, should we attempt a narration  
of the causes of your danger; the many petitions  
you have presented, praying but for peace, liberty  
and safety, and to avoid the necessity of shedding  
the blood of your fellow men, and the unexampled  
indignity and contempt with which those petitions  
were treated, it would be undeservedly to impeach  
you of inattention to your own safety.

Let it suffice then to say, That when every other  
method taken by you was productive of nothing  
but insults; and that flames in your houses, murders  
on your persons, and robberies upon your property,  
were returned in answer to your peaceable, humble  
and dutiful petitions.

When the force of Britain, with that of her allies,  
was collected and drawn into exertion, to reduce  
you from ease and affluence to slavery and vassalage,  
the congress of the United States, despairing other-  
wise to establish your safety upon principles which  
would render it durable, made that declaration by  
which you became independent of Great Britain,  
and in which character alone you can be secure and  
happy.

But as the increasing power and opulence of the  
United States are now the dread and envy of those  
whose avaricious and ambitious minds had laid a  
plan for the monopoly and enjoyment of them, a  
large army is necessary for your defence; and the  
congress have therefore determined upon eighty-  
eight battalions, of which fifteen are to be raised  
by this state.—The militia who have been marched

to aid the army under the conduct of that man whose fortitude, virtue and patience, is perhaps without example (and who hourly, without any reward but the approbation of his own mind) is risking his all in your cause, will soon be on their return; the enemy, angry at the chastisement justly given them for their unprovoked cruelties to our brethren in the Jerseys, are watching an opportunity to return the blow.

\* A farther draft from the militia would so much burthen the people of this state, that this court cannot think of it without pain and anxiety. We have therefore, being sensible that you need no other stimulus to your duty than having the line of it drawn for you, directed that a number of men, amounting to one seventh part of all the male persons, of sixteen and upwards, should be immediately engaged in the continental army, upon the encouragement given by government—this encouragement we conceive to be greater than any ever yet given, even to the greatest mercenaries—surely then a people called to fight, not to support crowns and principalities, but for their own freedom and happiness, will readily engage.

That the encouragement given might fully answer the designs of government and the expectation of the soldiery, this court have settled the price of every necessary and convenient article of life produced in this country, and also the price of foreign goods in a just proportion to their prices in the place from which they are imported, considering the risque of importation. And nothing is now wanting to give value to the soldier's wages, and stability to our currency, but the vigorous and punctual execution and observance of that act, which we hope to see speedily effected by the public virtue and zeal of this people in the cause of their country.

But lest some of you should be deceived by the misrepresentations of designing men, we must remind you that all the pretensions to peace and reconciliation, so pompously dealt out in the insidious proclamations of the commissioners of the king of Great Britain, amount to nothing more than an invitation to give up your country, and submit unconditionally to the government of the British parliament. They tell you that their king is graciously disposed to revise all acts which he shall deem incompatible with your safety. But your good sense will lead you to determine, that if he is a prince worthy to reign over a free people, and a friend to the rights of mankind, he would long ago have

determined as to the justice of those acts, and must have seen them founded on despotism, and replete with slavery; but they do not tell you that their sovereign has the least intention to repeal any one of those acts; surely then a revision of them can never restore your freedom, or in the least alleviate your burdens.

But those commissioners, although they offer themselves as the ambassadors of peace, and invite you to what they call the mild and gentle government of Britain, mark their footsteps with blood, rapine, and the most unexampled barbarities, distributing their dreadful and savage severity as well to the submissive as the obstinate, while neither rank, sex or age, exempts any from the effects of their brutal passions.

Should America be overcome by, or submit to Britain, the needy and almost perishing tenant in Ireland, disarmed and having but little property in the production of his toil and labor, selling the bread for which his tender infants are suffering, to pay the haughty landlord's rent or insulting collector's tax, would be but a faint resemblance of your calamity.

Society, where no man is bound by other laws than those to which he gives his own consent, is the greatest ornament, and tends most of all things to the felicity of human nature, and is a privilege which can never be given up by a people without their being exceedingly guilty before Him, who is the bestower of every good and perfect gift.

We, therefore, for the sake of that religion, for the enjoyment whereof your ancestors fled to this country, for the sake of your laws and future felicity, entreat and urge you to act vigorously and firmly in this critical situation of your country.—And we doubt not but that your noble exertions, under the smiles of Heaven, will ensure you that success and freedom due to the wise man and the patriot.

Above all, we earnestly exhort you to contribute all within your power to the encouragement of those virtues, for which the Supreme Being has declared that he will bestow his blessings upon a nation, and to the discouragement of those vices for which he overturns kingdoms in his wrath; and that at all proper times and seasons you seek to Him, by prayer and supplication, for deliverance from the calamities of war, duly considering that without his powerful aid, and gracious interposi-

all your endeavors must prove abortive and

Sent up for concurrence,  
SAMUEL FREEMAN, speaker. P. T.  
ouncil, January 28, 1777.—Read and concurred.  
JOHN AVERY, D. Sec'ry.

THE PRESIDENT AND COUNCIL OF PENNSYLVANIA.  
*remonstrance of the subscribers, freemen, and inhabitants of the city of Philadelphia, now confined in the Free Mason's Lodge.*

WE—That the subscribers have been, by use of a warrant, signed in council by George an, vice president, arrested in our houses, and our lawful occasions, and conducted to this ec, where we have been kept in close confinement, under a strong military guard, two or more s—that although divers of us demanded of the messengers, who arrested us, and insisted on having copies of the said warrant, yet we were not able to procure the same, till this present time, have remained here unaccused and unheard. now take the earliest opportunity of laying grievances before your body, from whom we request they proceed, and of claiming to ourselves the liberties and privileges to which we are entitled by the fundamental rules of justice, by birth-right and inheritance, the laws of the land; by the express provision of the present constitution, under which your board derive their power.

We apprehend, that no man can lawfully be deprived of his liberty, without a warrant from some persons having competent authority, specifying an offence against the laws of the land, supported by an oath or affirmation of the accuser, and limiting the term of his imprisonment, until he is heard, or legally discharged, unless the party be found in the actual perpetration of a crime. Natural justice, ally with law, declares that the party accused should know what he is to answer to, and have an opportunity of shewing his innocence.—These principles are strongly enforced in the ninth and tenth sections of the declaration of rights, which form a fundamental and inviolable part of the constitution, in which you derive your power, wherein it is declared:

X. "That, in all prosecutions for criminal offences, a man hath a right to be heard by himself or his council, to demand the cause and nature of the accusation, to be confronted with the witnesses, call for evidence in his favor, and a speedy public trial by an impartial jury of the county; with-

out the unanimous consent of which jury, he cannot be found guilty.—Nor can he be compelled to give evidence against himself; nor can any man be justly deprived of his liberty, except by the laws of the land, or the judgment of his peers."

X. "That the people have a right to hold themselves, their houses, papers and possessions, free from search or seizure, and therefore warrants without oaths or affirmations first made, affording a sufficient foundation for them, and whereby any officer or messenger may be commanded or required to search suspected places, or to seize any person or persons, his or their property not particularly described, are contrary to that right, and ought not to be granted."

How far these principles have been adhered to, in the course of this business, we shall go on to shew.

Upon the examination of the said warrant, we find it is, in all respects, inadequate to these descriptions, altogether unprecedented in this or any free country, both in its substance, and the latitude given to the messengers who were to execute it, and wholly subversive of the very constitution you profess to support.—The only charge on which it is founded, is a recommendation of congress to apprehend and secure all persons who, in their general conduct and conversation, have evidenced a disposition inimical to the cause of America, and particularly naming some of us—but not suggesting the least offence to have been committed by us.

It authorises the messengers to search all papers belonging to us, upon a bare possibility, that something political may be found, but without the least ground for a suspicion of the kind.

It requires papers, relative to the sufferings of the people called Quakers, to be seized, without limiting the search to any house, or number of houses; under color of which, every house in this city, might be broke open.

To the persons whom the congress have thought proper to select, the warrant adds a number of the inhabitants of the city, of whom some of us are part; without the least insinuation, that they are within the description given by the congress, in their recommendation.

It directs all these matters to be executed (though of the highest importance to the liberties of the people) at the discretion of a set of men, who are under no qualification for the due execution of the office, and are unaccustomed to the forms of execu-

ing civil process; from whence, probably, have proceeded the excesses and irregularities committed by some of them, in divers instances, by refusing to give copies of the process to the parties arrested, by denying to some of us, a reasonable time to consider of answers, and prepare for confinement. In the absence of others, by breaking our desks, and other private repositories—and by ransacking and carrying off domestic papers, printed books, and other matters not within the terms of the warrant.

It limits no time for the duration of our imprisonment, nor points at any hearing, which is an absolute requisite to make a legal warrant; but confounds in one warrant, the power to apprehend, and the authority to commit, without interposing a judicial officer between the parties and the messenger.

Upon the whole, we conceive this warrant, and the proceedings thereupon, to be far more dangerous in its tendency, and a more flagrant violation of every right which is dear to freemen, than any that can be found in the records of the English constitution.

But when we consider the use to which this *general warrant* has been applied, and the persons upon whom it has been executed, (who challenge the world to charge them with offence) it becomes of too great magnitude to be considered as the cause of a few.—It is the cause of every inhabitant, and may, if permitted to pass into a precedent, establish a system of arbitrary power unknown but in the inquisition, or the despotic courts of the East.

What adds further to this alarming stretch of power is, that we are informed the vice president of the council, has declared to one of the magistrates of the city, who called on him to enquire into the cause of our confinement, that we were to be sent to Virginia *UNHEARD*.

Scarcely could we believe such a declaration could have been made by a person who fills the second place in the government, till we were this day confirmed in the melancholy truth by three of the subscribers, whom you absolutely refused to hear in person, or by council.—We would remind you of the complaints urged by numbers of yourselves against the parliament of Great Britain, for condemning the town of Boston *UNHEARD*, and we call upon you to reconcile your *PRESENT* conduct

with your *TRAD* professions, or your repeated declarations in favor of general liberty.

In the name, therefore, of the whole body of the freemen of Pennsylvania, whose liberties are radically struck at in this arbitrary imprisonment of us, their *unoffending* fellow-citizens—we demand an audience, that so our innocence may appear, and persecution give place to justice.—But if, regardless of every sacred obligation by which men are bound to each other in society, and of that constitution by which you profess to govern, which you have so loudly magnified for the free spirit it breathes, you are still determined to proceed, be the appeal to the Righteous Judge of all the earth for the integrity of our hearts, and the unparalleled tyranny of your measures.

James Pemberton,  
Thomas Wharton,  
Thomas Coombe,  
Edward Pennington,  
Henry Drinker,  
Phineas Bond,  
Thomas Gilpin,  
John Pemberton,  
Thomas Pike,  
Owen Jones, jun.  
Thomas Affleck,  
Charles Jervis,  
William Smith, broker,  
William Drewet Smith,  
Thomas Fisher,  
Miers Fisher,  
Charles Eddy,  
Israel Pemberton,  
John Hunt,  
Samuel Pleasants.

Mason's Lodge, Philadelphia, *Sept. 4th, 1777.*

N. B The three last subscribers, were first attended by some of those, who executed the general warrant; but after their remonstrance to the president and council, were arrested by *LAW* NICOLA, and conducted to the Lodge, by a special order to him.

The foregoing remonstrance was delivered to Thomas Wharton, jun. president, &c. last evening, who promised to lay it before council, and send an answer to one of the gentlemen, who delivered it to him this morning; but no answer has yet been received.

September 5th half past two o'clock, P. M.

**Delaware Papers.**

*To the honorable the representatives of the counties of Newcastle, Kent and Sussex, in general assembly met, 14th March, 1775.*

The petition of the inhabitants, freemen of Kent county, most humbly sheweth:

That we conceive a well regulated militia, composed of the gentlemen freeholders and other free men, to be not only a constitutional right, but the natural strength and most stable security of a free government, from the exercise of which a wise people will not excuse themselves even in time of peace.

That happily secure in the affectionate protection of our mother country, we have for some time past been carelessly negligent of military art and discipline, and are therefore the more exposed to the insult and ravages of our natural enemies at this unhappy time, when we have lost our interest in the esteem and affection of our parent state.

We, therefore pray your honors to take our case into your most serious consideration, and, by passing an act of assembly establishing a militia throughout this government, grant us relief in the premises, and your petitioners, as in duty bound, will ever pray.

*Letter from Dr. Tilton to Dr. Elmer, 1775.*

I have little more than time to enquire of you whether you ever received the answer I sent to your letter, received soon after I saw you at Philadelphia. I am unwilling to think you either negligent or forgetful of me, but I am much disposed to abuse our intermediate friend, Mr. D.—He kept your letter from me I don't know how long, and I take it for granted has lost mine altogether—thus you have been deceived and I have been abused and injured.

It would be impertinent to trouble you with medicinal nonsense now. The important concerns of our country engage every mind. It will be unnecessary for me to comment or enlarge upon the arguments offered on either or both sides. I will only mention the conclusion which I have drawn from them, and the principle upon which I act. I consider the imposition offered us by Great Britain as unreasonable, unjust and affrontive; I am, therefore, determined to resist to the uttermost, trusting the event to Providence.

I am informed by the reverend father who brings you this, that you have taken an active part in this time of trouble; that physic itself, does not

hinder you from heading a light infantry company. That I may give you some evidence of my zeal for the good of my country, I must inform you that I am first lieut. of a light infantry company—and that the hon. committee of safety at their late meeting in Dover, honored me with the appointment of surgeon to the first battalion in our county. I am pleased with the public transactions of your province. Does the conduct of the people at large, correspond with the transactions of your public assemblies? Our militia is now completely formed throughout the government, and it completely disgraces a man not to enrol.—Of the company I belong to, above sixty are in genteel regimentals, with light infantry caps, and will soon be fully accoutered. In short, I was never so completely new modelled in so short a time; instead of the careless and secure appearance we made six months ago, you will now find most of us in a regimental dress with swords upon our thighs.

But I must conclude with wishing to hear from you, and assuring you that I remain,

Your affectionate humble servant,

JAS. TILTON.

*Seventh month 27th, 1775.*

*To the committee now sitting at Dover.*

Whereas I understand you have been pleased to advertise without any distinction of age or religion, all those who refuse to take up arms to appear at Dover this day, in order to give reasons why they don't enrol, and I expect I am one of these transgressors, and I not being willing to give any offence, but to follow after peace with all men—for without which, no man shall see the Lord. And looking on it as a duty on all Christians to be subject to every law and ordinance of man, for conscience sake, where such laws and ordinances are not repugnant to the law of God and their religious principles, so I, as one who hath received favor from God, and one under the obligation of keeping his law, will let you know my several reasons why I am thus delinquent—the chief of which is as follows: Whereas the Lord my God hath been pleased by his Almighty power, to deliver my soul from the bondage of sin and death, and hath set up his law in my heart, with his strict command to obey the same at the risk of the loss of his favor, which is of more value to me than all the transitory things of this world, and even my life, which, if required, I am ready to offer up a sacrifice for his sake—now, this I do not refuse to do out of any obstinacy or opposition to my countrymen, but because I verily believe God to

have a hand in these affairs, and dare not join to fight against him; neither do any thing to encourage others. Second reason is, I am now going in my fifty-sixth year, and am very fat and not fit for action. Third reason is, I have a giddiness in my head, that is so bad on me at times, that I have dropt in the road as though I was shot with a bullet. The fourth reason, why, about two years ago I had the flux for seven months very bad, and now, to this day, when I overheat myself, I catch cold, and it returns upon me again; and will many times lay me up for seven or eight days together; so I think that these reasons with the first and principal one, would be enough for any reasonable men, which I take you all to be, to have me excused. But if you are not satisfied with these reasons, I am ready and willing to come on the least notice, only please to let me know by a line or two, and I will wait on you any time whenever you will please to call on me at any other time—I should have come to day, only I was engaged another way before I heard of the advertisement, for I never saw it.

This from your friend and well wisher to you all, and all your honest undertakings; and may the God of peace instruct you all and give you grace, is the sincere prayer of me.

Z. G.

*Dover, January 26th, 1775.*

*Gentlemen*—At a meeting of the committee of inspection for Kent county, on Delaware, (on 26th inst.) information was given, by a member of the committee, of two barrels of tea, containing 226lb. which he had discovered on board J. H's sloop, at a landing place in said county; that he had been obliged to put the tea into his own store, to secure it from the populace, as there was great reason to believe it had been unduly imported, since the 1st of December last, in a brig late from Jamaica, belonging to J. H. who is now in this county, and confesses himself to be the owner of the tea.

Mr. H. being called upon by the committee, acknowledged the tea to be his property, and said it was a part of a large chest he had bought of Duffield and Hepburn, wt. 30.23, Tare 70lb. of which he produced a bill dated January 11th, 1775. He declared he believed the tea to be duly imported, and had taken the above parcel which the committee had taken into custody, out of the chest, and packed it in barrels, for no other reason than because it was more conveniently hoisted in and out of the vessel; but gave no reason for the immoderate quantity, though very unfit for the place where he alleged it was to be sold.

Mr. H. then took his leave, and the committee for this county unanimously resolved, that the tea should be kept in store, until the above state of the case was communicated to the committee of inspection for the city of Philadelphia, and that said committee be requested to enquire into the matter, and detect the remainder of the said chest of tea, if unduly imported; and if otherwise, that by a speedy answer they will enable the committee to return an innocent man's property.

Signed by order of the committee.

#### TORIES IN SUSSEX.

*To Dr. James Tilton.*

Sir—This informs you, that an indictment was found by the grand jury of Sussex county, against a number of zealous friends to their country, for, as is said, insulting a certain J. C. The particulars are as follows: J. C. some time in the month of September, came to Lewis, and in an open, profane manner, cursed the honorable continental congress, and all those that would not curse it; calling upon the supreme Being in a most solemn manner to d—n the congress, and all that would not d—d it; that d—d set would ruin the country. For which expressions and such like, it was thought proper he should be had up before the committee of inspection, as guilty of treason against the liberties of America, and also the congress; for the congress acting suitable to the power delegated, that body ought to be esteemed as king, and therefore whatever is said against that body should be deemed treason. C. being had up before the committee, and the facts before mentioned sufficiently proved, one of the audience said "it sounded like a death warrant." C. in an insulting, swearing-way, said, "put it in execution." However, upon mature consideration of the committee, some of which was no better than C. a sort of recantation was drawn up and signed by C. but by no means satisfactory to the people. Upon which, some concluded we should proceed in the new mode of making converts, by bestowing upon C. a coat of tar and feathers; but after some hesitation, and much persuasion, were prevented from using any violent measures, unless beating the drum a few rods, and two boys throwing an egg a piece unknown to the men—which, as soon as they were observed, was immediately stopped. No threatening or abusive language was made use of to intimidate or affright him. This is as near the state of the matter as I can recollect—this they have made a riot of, and J. M. esquire, as king's attorney, has acted in this matter.

Now, if such offenders as C. are permitted to bring us under the cognizance of the civil law,—all the friends to liberty here in Sussex, may as well give up as contend any longer; for, we are too weak to oppose ministerial tools.

This from your's, to serve,

SAMUEL M'MASTERS.

Lewes, November 14th, 1775.

*Dr. Tilton's reply.*

Sir—Your's of the 14th inst. came safe to hand. I am not a little surprised at the contents of it. I have heard a great deal of Sussex toryism, but imagined, if you had really such among you, they would have acted more ingeniously than by playing off the civil law, as an engine against the sons of liberty. The recent success of Mr. H. I should have thought, would have taught them better. Your grand jury must certainly have been infatuated with very undue prejudices, or they never could have countenanced such an indictment as you mention.

I wish I was able to give you such advice as would be profitable to your deluded countrymen; but when I consider that I am writing to a man younger than myself, and who has perhaps as little influence in Sussex as I have in Kent, I conceive I cannot testify my esteem, for a lover of liberty, better, than by communicating my sentiments, on our present troubles, in as short and plain a manner as I can.

I lay it down as a maxim, that the claim of England on America "to tax her in all cases whatsoever," is affrontive to common sense, not to be tolerated, but spurned at by freemen, and to be resisted to the last extremity whenever attempted to be put in execution. It is found equally true, by our experience, that the civil or municipal laws of the provinces, are not sufficient to defend us against the unjust and cruel means used to bring us under unjust and arbitrary taxation. What resource then had America left her? Why—she appealed to the law of nature, which having a like respect to all, is founded only in justice and truth. In doing this, however, the Americans have not violated the constitution of England (as their enemies have suggested,) for that being founded in liberty cannot be repugnant to the eternal and immutable laws of truth and justice. By the law of nature then, and the constitution of England, we are perfectly right in defending our rights and liberties. The law of nature is above all others, and constantly governs in the last exigency of affairs. In our present struggle is it not equally necessary to guard against

intestine enemies as foreign foes? But by what law of the land can we do it?—by none, and therefore we appeal to the law of nature. By this law the representatives of a people in committee, publish an enemy and make him infamous forever; and by this law, the people at large tar and feather Tories and traitors. The sole object of natural law is justice; and agreeable to it, in Mr. C's case, the only question should be, has his punishment been more than adequate to his crimes? If he has discovered himself unfriendly to his country, and especially to America, his light escape could be owing to nothing but great partiality or uncommon humanity in his countrymen. And as to those men, who would now take advantage of the civil law, against those who were the instruments of justice on C. in behalf of their country, I take it for granted they have a plentiful stock of ignorance or an uncommon share of boldness and wickedness; and I will venture to add, that were they in any part of the United Colonies, besides Sussex, they would in the one case meet with proper instruction, and in the other suitable correction.

*Letter from Dr. T. to J. W. on the same subject.*

Dover, 26th November, 1775.

Dear brother—It is not common for me to trouble you with political letters. Mrs. M. however, informs me of a late transaction, in Lewes, in which I think you so nearly interested, that I am constrained to communicate a few thoughts of mine on the subject; not from a vain pride of differing in opinion with my elder brother, but from a sincere wish that you may improve any hints of mine that are right, to your own advantage and the public good. I am told you sat with a number of others and advised among the rest, that some young men should be indicted for mobbing J. C. a noted enemy to his country; that you being the first who left the room, was as good as mobbed yourself, by the inhabitants of Lewes, who resented such treatment from their magistrates. This being a true state of the case, I am obliged to think you have been guilty of an error. I know you wish well to your country, but men of the best designs may sometimes be wrong in the means of accomplishing them. You cannot be ignorant that the law of the land is insufficient to protect us against the violence of Great Britain, and that therefore America has long since resorted to the law of nature, by virtue of which she hath strengthened her hands.—As we have no law of the land by which we can punish Tories and traitors, the natural law of necessity takes place.—Natural law has justice alone for its object, and in Mr. C's case, the sole ques-



tion ought to be, has he received more than he deserved? I am sure you will say he deserved ten times as much. Why then would you take advantage of the civil law in his behalf? If you should answer in the language of the most unfriendly to this country, "least the civil authority should be brought into contempt," a moment's reflection will shew you the absurdity of such reasoning. Can the dignity of civil authority be supported by acting in concert with villains? and would you wish to be accounted the avenger of justice? But I need not enlarge, as no instance can be adduced where the Americans have punished an innocent person for crimes like C's. — Mr. H's fate will serve to shew you the sens of the Philadelphians, respecting your conduct. His crime is nothing more than an exertion of civil power in opposition to the rights of nature. He was carried. — I don't mention this to reproach you with folly, but as a basis to that advice I wish you to take, viz: that you may use your utmost influence if possible, to quash the indictments. I am persuaded the reputation of your county and your own personal safety, are concerned in the event of this matter. For tho' Sussex should approve or submit to such conduct, I am confident every other part of the United Colonies will condemn and despise it. For my own part, I have heard many bad reports of Sussex, but I assure you this fills me with more displeasure than any public transaction of your county, I have ever attended to.

#### RECANTATION OF AN ARTICLE PUBLISHED.

I acknowledge to have wrote a piece, and did not sign it, since said to be an extract of a letter from Kent county, on Delaware, published in Humphreys' Ledger, No. 3. It was not dated from any place, and is some altered from the original. I folded it up and directed the same to J. F. and Sons. I had no intention to have it published; and further, I let them know the author thought best it should not be published; nor did I think they would. — I am sincerely sorry I ever wrote it, as also for its being published, and hope I shall be excused for this, my first breach in this way, and I intend it shall be the last.

R. H.

*To the committee of correspondence  
for Kent county, on Delaware.  
May 2d, 1775.*

Sra. — The president of the committee of correspondence, by and with the advice of such other of the members of that committee as he was able to collect and consult, this day laid before the com-

mittee of inspection for this county, your letter wherein you confess yourself to be the author of the Kentish letter (commonly so called) published in 3d No. of Humphreys' Ledger.

The committee took the same into consideration, and have unanimously resolved that it is unsatisfactory, and you are requested to attend the committee at their next meeting on Tuesday the 9th inst. at French Battell's, in Dover, and render such satisfaction to the committee, as will enable them to clear the good people of this county from the aspersions of that letter, and justify them in the eyes of the public.

Signed by order of the committee.

To R. H.

*To the committee of inspection for Kent county, on Delaware.*

GENTLEMEN. — With sorrow and contrition for my weakness and folly, I confess myself the author of the letter, from which an extract was published in the 3d No. of Humphreys' Ledger, said to be from Kent county, on Delaware; but at the same time to declare it was published without my consent, and not without some alterations.

I am now convinced that the political sentiments therein contained, were founded on the grossest error; more especially that malignant insinuation, that "if the king's standard were now erected, nine out of ten would repair to it," could not have been suggested, but from the deepest infatuation. True indeed it is, the people of this county have ever shewn a zealous attachment to his majesty's person and government, and whenever he raised his standard in a just cause, were ready to flock to it: but let the severe account I now render to an injured people, witness to the world, that none are more ready to oppose tyranny or to be first in the cause of liberty, than the inhabitants of Kent county.

Conscious that I can render no satisfaction adequate to the injury I have done my country, I can only beg the forgiveness of my countrymen, upon those principles of humanity, which may induce them to consider the frailty of human nature — and I do profess and promise, that I will never again oppose those laudable measures, necessarily adopted by my countrymen, for the preservation of American freedom: but will co-operate with them to the utmost of my abilities, in their virtuous struggle for liberty (so far as is consistent with my religious principles.)

R. H.

ed unanimously, that the committee do  
above recantation fully satisfactory.

THO'S. NIXON, Jr. Clerk.

th, 1775.

SATISFACTION TENDERED.

MEM.— Whatever the public opinion may  
at I have heretofore said respecting the  
between Great Britain and the colonies, I  
nly assure you that I have never had any  
view but a reconciliation between them,  
full establishment of all the constitution  
and privileges of America. Which rights  
leges I am determined to defend with my  
property against all invasions whatsoever.  
will please to make known to my brethren  
unity.

gentlemen, with great respect, your hum-  
nt,

R. S.

committee of observation

in Kent county, on Delaware.

Arrest of a member of the legislature.

Following petition sufficiently explains the  
stances of the case.]

tion and remonstrance of the light infantry  
of Dover, to the honorable house of re-  
tatives, for the government of the coun-

New Castle, Kent, and Sussex, on Dela-  
ware sitting at New Castle, humbly sheweth:

T. R. of Sussex county, esq. having for a  
past been of ill fame, and published by  
committees in several newspapers as an

his country, and the said T. R. presum-  
as through our county, and at a critical

ure to sit in your honorable house, as one  
representatives, we thought ourselves bound

as we regarded the honor of your honora-  
e, and the true interest and safety of the

to take said T. R. into custody until your  
house could take order in the matter.

on an attempt being made to arrest Mr.  
f. of Sussex county also, drew his sword,

he was made well acquainted with the  
und principles upon which it was thought

y to arrest Mr. R. he swore he would de-  
at the risk of his life. Upon this, he was

tely disarmed, and his violent conduct, to-  
with the well known connexion between

men, inducing the company to consider  
as in the same predicament with Mr. R.

er mature deliberation, resolved to give  
th a like treatment, by keeping them in

ody until your advice and pleasure should  
1. They were accordingly detained under

guard for one night, and next day, by advice of a  
number of gentlemen in whom we could confide,  
they were set at liberty, on their giving bond with  
security that they would submit their conduct to  
a strict enquiry before your honorable house, and  
not presume to sit or do any one act as members,  
until honorably acquitted of all charges and every  
degree of suspicion, by you. In all this we apprehend,  
we have acted consistent with the first principles  
of nature and humanity. And as we flatter ourselves  
with your approbation, we hope and expect that a  
scrutiny will be made into the conduct of these  
suspicious persons, and that in wisdom you will  
judge of them, and relieve your petitioners and the  
public in general of their apprehensions concerning them.

We cannot omit the present opportunity, with  
humility and confidence, to make known to your  
honors many grievances of our own and neighbor-  
ing county, by which the cause of virtue and lib-  
erty has, and will greatly suffer—and may be ruined;  
unless by the intreaties of your petitioners and  
other good men, we can prevail on your honors to  
look diligently and carefully into the ways and  
conduct of a number of designing and interested  
men, who, like the parliament of Great Britain,  
under the pretext of law, rule or order, most as-  
siduously oppose and hinder, to the utmost of their  
power, the strenuous endeavors of the good and  
virtuous in all their public measures, on behalf of  
our threatened liberty. When under covert of au-  
thority or the specious garb of moderation, the  
first laws of nature and justice are violated, if we  
do but murmur we are reprobated as violent in-  
cendiaries, and loaded with opprobrious epithets. By  
the dint of influence, a number of persons, the most  
notoriously opposed to the cause of liberty, and  
who have made public concessions for the most  
daring offences, are made officers in our militia,  
and thus have influence among the people. But  
this reproach is not the most intolerable to com-  
plain of. Men of the most dangerous characters  
have crept into our very councils; and, if it were  
possible, would contaminate the very source and  
fountain of all our hopes and expectations.

We pray your honors, that, after diligent enquiry  
and being well satisfied of the truth of these our  
allegations, you will take the means of our redress  
into your serious consideration, and that you will  
give that aid to public virtue and liberty which  
your known wisdom and patriotism will naturally  
suggest.

And your petitioners as in duty bound shall pray.

*Cross Roads, March 3d, 1776*

GENTLEMEN.—We, the members of assembly for Kent county, taking into consideration the confinement of Messrs. R. and M. now in your custody, take the liberty to inform you that the continuing these supposed offenders any longer under a restraint of their liberty, may give interruption to the business of legislation in this government which may be injurious, especially at this time; we are therefore of opinion that you should release them from their imprisonment, and permit them to pursue their journey to New Castle, upon their giving bond with security to submit the enquiry into their respective offences to the house of assembly, and abide by, and perform whatsoever shall be enjoined them by the house.

We are, gentlemen, &c.

CÆSAR RODNEY  
WILLS KILLEN  
JOHN HASLETT  
THOMAS RODNEY  
VINCENT LOCKERMAN

*To the gentlemen of the light infantry company.*

[The result of this business is thus detailed in a pamphlet published in 1738, entitled "*the biographical history of Dionysius, tyrant of Delaware, by TIXOLLOX.*"]

"But to explain the attachment and connection of *Dionysius* with R. and the other representatives from Sussex, it will be necessary to give some account of this county, and their election at Lewes, in October, 1775. This R. was a man of property, and had been a leader in the proprietary faction for some years. Perfectly unprincipled, and subservient to direction, he of course at this time, became a leader in opposition to independence. With all the industry of interested tools, he, and his associates of the same connection, prejudiced a majority of the people of Sussex against independence. Upon this principle it was, that R. and others of the same political creed, were elected representatives of the people.

The whigs bore all this with a degree of patience peculiar to Delaware. R. rendered fearless by his success, and the forbearance of the whigs, proceeded boldly in his villanies. By every means in his power, he seduced the people to break through the non-importation agreement. In particular, he purchased a large quantity of tea, and dealt it out to all whom he could persuade to use it. Having by this time a degree of contempt for all opposition, there was so little reserve in these transactions, that the committee of observation of the

county, could not avoid taking notice of them. After a mature hearing and judgment of his conduct, the committee published him in the newspapers, as an enemy to his country. It was upon this ground, the light infantry company of Dover seized upon R. on his way to take his seat in the house of representatives, at New Castle; and demanded of the legislature, that he should not be permitted to sit as a representative of the people, while covered with charges of so malignant a dye. Instead of regarding the iniquities of this culprit, *Dionysius* talked in a high strain of the breach of privilege of the house. An order issued, summoning the infantry to attend the house, which they instantly obeyed. Mention was even made of imprisoning them for so daring an offence. But the spirit of New Castle county did not at that time, favor this measure. It was suggested, they must find means of confining a regiment or more of their militia, or they would not detain the infantry long. For many days after the examination of the witnesses, which went chiefly to an enquiry into the offence of the infantry, there was no open discussion usual in the house. At the ringing of the bell, a minority of patriotic members met regularly: but *Dionysius*, in secret cabal, threatened some members, and allured others with promises, until he brought his measures to bear. Finally it was resolved, that R. and his associate (who had also been arrested for standing in his defence) should take their seats; and the light infantry were dismissed."

#### PROCLAMATION.

By John Burgoyne, esq. lieutenant general of his majesty's armies in America, colonel of the queen's regiment of light dragoons, governor of Fort William in North Britain, one of the representatives of the commons of Great Britain, and commanding an army and fleet employed on an expedition from Canada, &c. &c.

The forces entrusted to my command, are designed to act in concert, and upon a common principle, with the numerous armies and fleets which already display in every quarter of America, the power, the justice, and, when properly sought, the mercy of the king.

The cause in which the British arms is thus exerted, applies to the most affecting interests of the human heart; and the military servants of the crown, at first called forth for the sole purpose of restoring the rights of the constitution, now combine with love of their country, and duty to their sovereign, the other extensive incitements, which

ue sense of the general privileges of man  
o the eyes and ears of the temperate part  
ublic, and the breasts of suffering thou  
the provinces, be the melancholy appeal,  
the present unnatural rebellion has no  
e a foundation for the completest system  
y that ever God, in his displeasure, suffer-  
time to be exercised over a froward and  
generation.

ary imprisonment, confiscation of property,  
ion, and torture, unprecedented in the in-  
of the Romish church, are among the pal-  
mirities that verify the affirmative. These  
ted, by assemblies and committees, who  
profess themselves friends to liberty,  
e most quiet subjects, without distinc-  
ge or sex, for the sole crime, often for  
suspicion, of having adhered in principle  
overnment under which they were born,  
high, by every tie, divine and human, they  
fiance. To consummate these shocking  
ngs, the profanation of religion is added  
ost profligate prostitution of common rea-  
consciences of men are set at nought; and  
e are compelled not only to bear arms, but  
wear subjection to an usurpation they ab-

ted by these considerations—at the head  
in the full powers of health, discipline,  
ur—determined to strike where necessary  
xious to spare where possible—I, by these  
invite and exhort all persons, in all places  
e progress of this army may point—and  
lessing of God I will extend it far—to  
such a conduct as may justify me in pro-  
their lands, habitations, and families. The  
of this address is to hold forth security,  
edation to the country. To those, whom  
d principle may induce to partake the glo-  
k of redeeming their countrymen from  
s, and re-establishing the blessings of legal  
ent, I offer encouragement and employ-  
d, upon the first intelligence of their asso-  
will find means to assist their undertak-  
he domestic, the industrious, the infirm,  
the timid inhabitants, I am desirous to  
provided they remain quietly at their  
hat they do not suffer their cattle to be  
nor their corn or forage to be secreted  
ied; that they do not break up their  
or roads; nor by any other act, directly or  
y, endeavor to obstruct the operations of  
s troops, or supply or assist those of the

Every species of provision, brought to my camp,  
will be paid for at an equitable rate, and in solid  
coin.

In consciousness of christianity, my royal mas-  
ter's clemency, and the honor of soldiership, I have  
dwelt upon this invitation, and wished for more  
more persuasive terms to give it impression. And  
let not people be led to disregard it, by consider-  
ing their distance from the immediate situation of  
my camp. I have but to give stretch to the Indian  
forces under my direction—and they amount to  
thousands—to overtake the hardened enemies of  
Great Britain and America. I consider them the  
same, wherever they may lurk.

If, notwithstanding these endeavors, and sincere  
inclinations to effect them, the phrenzy of hostili-  
ty should remain, I trust I shall stand acquitted  
in the eyes of God and men in denouncing and  
executing the vengeance of the state against the  
wilful outcasts. The messengers of justice and of  
wrath await them in the field: and devastation, fa-  
mine, and every concomitant horror, that a reluc-  
tant, but indispensable prosecution of military du-  
ty must occasion, will bar the way to their return.

JOHN BURGOWNE.

*Camp, at Ticonderoga, July 2, 1777.*

By order of his excellency the lieutenant general.

ROBERT KINGSTON, secretary.

To John Burgoyne, esq. lieutenant general of his  
majesty's armies, in America, colonel of the  
queen's regiment of light dragoons, governor of  
Fort William in North Britain, one of the repre-  
sentatives of the commons of Great Britain, and  
commanding an army and fleet employed on  
expedition from Canada, &c. &c.

*Most high, most mighty, most puissant, and sublimed  
general!*

When the forces under your command arrived at  
Quebec in order to act in concert and upon a com-  
mon principle with the numerous fleets and armies  
which already display in every quarter of America,  
the justice and mercy of your king, we, the rep-  
tiles of America, were struck with unusual trepida-  
tion and astonishment. But what words can ex-  
press the plenitude of our horror, when the colonel  
of the queen's regiment of light dragoons advanced  
towards Ticonderoga. The mountains shook be-  
fore thee, and the trees of the forest bowed their  
lofty heads—the vast lakes of the north were chill-  
ed at thy presence, and the mighty cataracts stop-  
ped their tremendous career, and were suspended  
in awe at thy approach. Judge, then, Oh! ineffable  
governor of Fort William in North Britain, what

must have been the terror, dismay, and despair, that overspread this paltry continent of America, and us, its wretched inhabitants. Dark and dreary indeed, was the prospect before us, till, like the sun in the horizon, your most gracious, sublime, and irresistible proclamation, opened the doors of mercy, and snatched us, as it were, from the jaws of annihilation.

We foolishly thought, blind as we were, that your gracious master's fleets and armies were come to destroy us and our liberties; but we are happy in hearing from you (and who can doubt what you assert?) that they were called forth for the sole purpose of restoring the rights of the constitution, to a froward and stubborn generation.

And is it for this, Oh! sublime lieutenant general, that you have given yourself the trouble to cross the wide Atlantic, and with incredible fatigue traverse uncultivated wilds? And we ungratefully refuse the proffered blessing?—To restore the rights of the constitution, you have called together an amiable host of savages, and turned them loose loose to scalp our women and children, and lay our country waste—this they have performed with their usual skill and clemency; and yet we remain insensible of the benefit, and unthankful for so much goodness.

Our congress have declared independence, and our assemblies, as your highness justly observes, have most wickedly imprisoned the avowed friends of that power with which they are at war, and most profanely compelled those, whose consciences will not permit them to fight, to pay some small part towards the expenses their country is at, in supporting what is called a necessary defensive war. If we go on thus in our obstinacy and ingratitude, what can we expect, but that you should, in your anger, give a stretch to the Indian forces under your direction amounting to thousands, to overtake and destroy us? or, which is ten times worse, that you should withdraw your fleets and armies, and leave us to our own misery, without completing the benevolent task you have begun, of restoring to us the rights of the constitution?

We submit—we submit—most puissant colonel of the queen's regiment of light dragoons, and governor of Fort William in North Britain! We offer our heads to the scalping knife, and our bellies to the bayonet. Who can resist the force of your eloquence? Who can withstand the terror of your arms? The invitation you have made, in the consciousness of christianity, your royal master's

clemency, and the honor of soldiership, we thankfully accept. The blood of the slain, the cries of injured virgins and innocent children, and the never ceasing sighs and groans of starving wretches, now languishing in the jails and prison-ships of New York, call on us in vain; whilst your sublime proclamation is sounded in our ears. Forgive us, O our country! Forgive us, dear posterity! Forgive us, all ye foreign powers, who are anxiously watching our conduct in this important struggle, if we yield implicitly to the persuasive tongue of the most elegant colonel of her majesty's regiment of light dragoons.

Forbear, then, thou magnanimous lieutenant general! Forbear to denounce vengeance against us—Forbear to give a stretch to those restorers of constitutional rights, the Indian forces under your direction.—Let not the messengers of justice and wrath await us in the field, and devastation, and every concomitant horror, bar our return to the allegiance of a prince, who, by his royal will, would deprive us of every blessing of life, with all possible clemency.

We are domestic we are industrious, we are infirm and timid: we shall remain quietly at home, and not remove our cattle, our corn, or forage, in hopes that you will come, at the head of troops, in the full powers of health, discipline, and valor, and take charge of them for yourselves. Behold our wives and daughters, our flocks and herds, our goods and chattles, are they not at the mercy of our lord the king, and of his lieutenant general, member of the house of commons, and governor of Fort William in North Britain?

A. B.

C. D.

E. F. &c. &c. &c.

*Saratoga; 10th July, 1777.*

*Proposals for an exchange of general Burgoyne.—Ascribed to his excellency William Livingston, esq. governor of the state of New-Jersey.\**

Should the report of general Burgoyne's having infringed the capitulation, between major general Gates and himself, prove to be true, our superiors

\*The turgid, bombastic proclamation (for which see American Museum, vol. II. page 495) which gave rise to this elegant and poignant satire, was prefaced in the following manner: "Proclamation by John Burgoyne, esquire, lieutenant general of his majesty's armies in America, colonel of the queen's regiment of light dragoons, governor of fort William, in North Britain, one of the representatives of the commons of Great Britain, and commanding an army and fleet on an expedition from Canada, &c. &c. &c."—C.

will doubtless take proper care to prevent his reaping any benefit from it; and should he be detained as a prisoner for his infraction of any of the articles, I would humbly propose to exchange him in such manner, as will at the same time flatter his vanity and redound to the greatest emolument of America. To evince the reasonableness of my proposal, I would observe, that by the same parity of reason, that a general is exchanged for a general, a colonel for a colonel, and so on, with respect to other officers, mutually of equal rank, we ought to have for one and the same gentleman, who shall happen to hold both those offices, both a general and a colonel. This will appear evident from the consideration that those exchanges are never regulated by viewing the persons exchanged in the light of men, but as officers; since otherwise, a colonel might as well be exchanged for a serjeant as for an officer of his own rank; a serjeant being, undoubtedly, equally a man, and, as the case sometimes happens, more of a man too. One prisoner, therefore, having twenty different offices, ought to redeem from captivity twenty prisoners aggregately holding the same offices; or such greater or less number as shall, with respect to rank, be equal to his twenty offices. This being admitted, I think general Burgoyne is the most profitable prisoner we could have taken, having more offices, or (what amounts to the same thing in Old England) more titles, than any gentleman on this side the *Granges*. And as his *impetuous excellency* certainly meant to avail himself of his titles, by their pompous display in his proclamation, had he proved conqueror, it is but reasonable that we should avail ourselves of them now he is conquered; and, till I meet with a better project for that purpose, I persuade myself that the following proposal will appropriate them to a much better use, than they were ever applied to before.

The exchange I propose is as follows:

I. For John Burgoyne, esquire.

Some worthy justice of the peace, *magnanimously stolen out of his bed*, or taken from his farm by a band of ruffians in the uniform of British soldiers, and now probably perishing with hunger and cold in a loathsome jail in New-York.

II. For John Burgoyne, lieutenant general of his majesty's armies in America.

Two majors general.

III. For John Burgoyne, colonel of the queen's regiment of light dragoons.

As the British troops naturally prize every thing in proportion as it partakes of royalty, and under value whatever originates from a republican govern-

ment, I suppose a colonel of her majesty's own regiment will procure at least three continental colonels of horse.

IV. For John Burgoyne, governor of fort William in North Britain.

Here I would demand one governor of one of the United States, as his *multitutory excellency* is governor of a fort; and two more, as that fort is in North Britain, which his Britannic majesty may be presumed to value in that proportion; but considering that the said fort is called *William*, which may excite in his majesty's mind the rebellious idea of liberty, I deduct one upon that account, and, rather than puzzle the cartel with any perplexity, I am content with two governors.

V. For John Burgoyne, one of the representatives of Great Britain.

The first member of congress who may fall into the enemy's hands.

VI. For John Burgoyne, commander of a fleet employed in an expedition from Canada.

The admiral of our navy.

VII. For John Burgoyne, commander of an army employed in an expedition from Canada.

One commander in chief in any of our departments.

VIII. For John Burgoyne, &c. &c. &c.

Some connoisseurs in hieroglyphics imagine that these three et ceteras are emblematical of three certain *occult* qualities in the general, which he never intends to exhibit in more legible characters, v. z. *prudence, modesty, and humanity*. Others suppose that they stand for *king of America*; and that, had he proved successful, he would have fallen upon general Howe, and afterwards have set up for himself. Be this as it may, (which it however behoves a certain gentleman on the other side of the water seriously to consider) I insist upon it, that as all dark and cabalistical characters are suspicious, these *incognoscible enigmas* may portend much more than is generally apprehended. At all events, general Burgoyne has availed himself of their importance, and I doubt not they excited as much terror in his proclamation, as any of his more *luminous* titles. As his person, therefore, is by the capture, become the property of the congress, all his titles, (which some suppose to constitute his very essence) whether more splendid or opaque, latent or visible, are become, ipso facto, the lawful goods and chattels of the continent, and ought not to be restored without a consideration equivalent. If we should happen to over-rate them, it is his own fault, it being in his power to ascertain their intrinsic value; and it is a rule in law, that when a

man is possessed of evidence to disprove what is alleged against him, and refuses to produce it, the presumption raised against him, is to be taken for granted. Certain it is, that these three *et ceteras* must stand for three *something's*, and as these three *something's* must, at least, be equal to three *something's* without rank or title, I had some thoughts of setting them down for three *privates*; but then as they are three *something's* in *general Burgoyne*, which must be of twice the value of three *any thing's*, in any three *privates*, I shall only double them, and demand in exchange for these three problematical, enigmatical, hieroglyphical, mystic, necromantic, cabalistical and portentous *et ceteras*, six *privates*.

So that, according to my plan, we ought to detain this *ideal* conqueror of the North, now a *real* prisoner in the East, till we have got in exchange for him, one esquire, two majors general, three colonels of light horse, two governors, one member of congress, the admiral of our navy, one commander in chief in a separate department, and six *privates*; which is probably more than this extraordinary hero would fetch in any part of Great Britain, were he exposed at public auction for a day and a year. All which is nevertheless, humbly submitted to the consideration of the honorable the congress, and his excellency general Washington.

Princeton, December 8, 1777.

*Letter from his excellency general Washington to general Gage.*

HEAD QUARTERS,

Cambridge, August 11, 1775.

SIR—I understand that the officers, engaged in the cause of liberty and their country, who, by the fortune of war, have fallen into your hands, have been thrown indiscriminately into a common jail, appropriated for felons—that no consideration has been had for those of the most respectable rank, when languishing with wounds and sickness—that some of them have been even amputated in this unworthy situation.

Let your opinion, sir, of the principle which actuates them, be what it may, they suppose they act from the noblest of all principles, a love of freedom and their country. But political opinions, I conceive, are foreign to this point. The obligations arising from the rights of humanity, and claims of rank, are universally binding and extensive, except in case of retaliation. These, I should have hoped, would have dictated a more tender treatment of those individuals, whom chance or war had put in your

power. Nor can I forbear suggesting its fatal tendency to widen that unhappy breach, which you, and those ministers under whom you act, have repeatedly declared you wish to see forever closed.

My duty now makes it necessary to apprise you, that, for the future, I shall regulate my conduct towards those gentlemen of your army, who are, or may be in our possession, exactly by the rule you shall observe towards those of ours who may be in your custody.

If severity and hardship mark the line of your conduct (painful as it may be to me) your prisoners will feel its effect; but if kindness and humanity are shown to ours, I shall, with pleasure, consider those in our hands only as unfortunate, and they shall receive from me that treatment to which the unfortunate are ever entitled.

I beg to be favored with an answer as soon as possible, and am, sir, your very humble servant,  
G. WASHINGTON.

*His excellency general Gage.*

ANSWER.

*Boston, August 13, 1775.*

SIR—To the glory of civilized nations, humanity and war have been compatible; and compassion to the subdued is become almost a general system.

Britons, ever pre eminent in mercy, have undergone common examples, and overlooked the criminal in the captive. Upon these principles, your prisoners, whose lives, by the laws of the land, are destined to the cord, have hitherto been treated with care and kindness, and more comfortably lodged, than the king's troops, in the hospitals; indiscriminately, it is true, for I acknowledge no rank that is not derived from the king.

My intelligence from your army would justify severe recrimination. I understand there are some of the king's faithful subjects, taken sometime since by the rebels, laboring like negro slaves, to gain their daily subsistence, or reduced to the wretched alternative, to perish by famine or take arms against their king and country. Those, who have made the treatment of the prisoners in my hands, or of your other friends in Boston, a pretence for such measures, found barbarity upon falsehood.

I would willingly hope, sir, that the sentiments of liberality, which I have always believed you to possess, will be exerted to correct these misdoings. Be temperate in political disquisitions; give free

operation to truth, and punish those who deceive and misrepresent; and not only the effects, but the causes of this unhappy conflict will soon be removed.

Should those, under whose usurped authority you act, controul such a disposition, and dare to call severity retaliation, to God, who knows all hearts, be the appeal for the dreadful consequences. I trust that British soldiers, asserting the rights of the state, the laws of the land, the being of the constitution, will meet all events with becoming fortitude. They will court victory with the spirit their cause inspires, and from the same motive will find the patience of martyrs under misfortune.

Till I read your insinuations in regard to ministers, I conceived that I had acted under the king; whose wishes it is true, as well as those of his ministers, and of every honest man, have been to see this unhappy breach forever closed; but unfortunately for both countries, those, who have long since projected the present crisis, and influence the councils of America, have views very distant from accommodation.

I am, sir, your most obedient humble servant,  
THOMAS GAGE.

*George Washington, esq.*

REPLY.

HEAD QUARTERS,  
Cambridge, August 19, 1775.

SIR—I addressed you on the 11th inst. in terms which gave the fairest scope for the exercise of that humanity and politeness, which were supposed to form a part of your character. I remonstrated with you on the unworthy treatment shewn to the officers and citizens of America, whom the fortune of war, chance, or a mistaken confidence, had thrown into your hands.

Whether British or American mercy, fortitude, and patience, are most pre-eminent—whether our virtuous citizens, whom the hand of tyranny has forced into arms, to defend their wives, their children, and their property, or the mercenary instruments of lawless domination, avarice, and revenge, best deserve the appellation of rebels, and the punishment of that cord, which your affected clemency has forborne to inflict—whether the authority under which I act, is usurped, or founded upon the genuine principles of liberty—were altogether foreign to the subject. I purposely avoided all

political disquisition; nor shall I now avail myself of those advantages, which the sacred cause of my country, of liberty and human nature, give me over you; much less shall I stoop to retort any invective. But the intelligence, you say you have received from our army, requires a reply. I have taken time, sir, to make a strict enquiry, and find it has not the least foundation in truth. Not only your officers and soldiers have been treated with a tenderness due to fellow citizens and brethren, but even those execrable parricides, whose councils and aid have deluged their country with blood, have been protected from the fury of a justly enraged people. Far from compelling or permitting their assistance, I am embarrassed with the numbers who crowd to our camp, animated with the purest principles of virtue and love of their country. You advise me to give free operation to truth; to punish misrepresentation and falsehood. If experience stamps value upon counsel, your's must have a weight which few can claim. You best can tell, how far the convulsion, which has brought such ruin on both countries, and shaken the mighty empire of Britain to its foundation, may be traced to these malignant causes.

You affect, sir, to despise all rank, not derived from the same source with your own. I cannot conceive one more honorable, than that which flows from the uncorrupted choice of a brave and free people, the purest source and original fountain of all power. Far from making it a plea for cruelty, a mind of true magnanimity and enlarged ideas, would comprehend and respect it.

What may have been the ministerial views which have precipitated the present crisis, Lexington, Concord, and Charlestown, can best declare. May that God, to whom you then appealed, judge between America and you. Under his providence, those who influence the councils of America, and all the other inhabitants of the United Colonies, at the hazard of their lives, are determined to hand down to posterity those just and invaluable privileges which they received from their ancestors.

I shall now, sir, close my correspondence with you, perhaps forever. If your officers, our prisoners, receive a treatment from me, different from what I wished to shew them, they and you will remember the occasion of it.

I am, sir, your very humble servant,  
GEORGE WASHINGTON.  
*General Gage.*



*Letter from major general Robertson to his excellency governor Livingston.*

New-York, January 4, 1777.

Sir—I am interrupted in my daily attempts to soften the calamities of persons and reconcile their case with our security, by a general cry of resentment, arising from an information——

That officers in the king's service, taken on the 27th of November, and Mr. John Brown, a deputy commissary, are to be tried in Jersey for high treason; and that Mr. Iliff and another prisoner have been hanged.

Though I am neither authorised to threaten or to soothe, my wish to prevent an increase of horrors, will justify my using the liberty of an old acquaintance, to desire your interposition to put an end to, or prevent measures which, if pursued on one side, would tend to prevent every act of humanity on the other, and render every person who exercises this to the king's enemies odious to his friends.

I need not point out to you all the cruel consequences of such a procedure. I am hopeful you'll prevent them, and excuse this trouble from,

Sir, your obedient humble servant,

JAMES ROBERTSON.

N. B. At the moment that the cry of murder reached my ears, I was signing orders that Fell's request to have the liberty of the city, and colonel Reynold now be set free on his parole, should be complied with. I have not recalled the order, because, though the evidence be strong, I cannot believe it possible, a measure so cruel and unpolitic, could be adopted where you bear sway.

To William Livingston, esq. &c. &c.

GOVERNOR LIVINGSTON'S ANSWER.

January 7, 1777.

Sir—Having received a letter under your signature, dated the 4th instant, which I have some reason to think you intended for me, I sit down to answer your enquiries concerning certain officers in the service of your king taken on Staten Island, and one Browne, who calls himself a deputy commissary; and also respecting one Iliff and another prisoner, (I suppose you must mean John Mee, he having shared the fate you mention) who have been hanged.

Buskirk, Earl and Hammel, who are, I presume, the officers intended, with the said Browne, were sent to me by general Dickenson as prisoners taken on Staten-Island. Finding them all to be subjects of this state, and to have committed treason against it, the council of safety committed them to

Trenton gaol. At the same time I acquainted general Washington, that if he chose to treat the three first, who were British officers, as prisoners of war, I doubted not the council of safety would be satisfied. General Washington has since informed me that he intends to consider them as such; and they are therefore at his service, whenever the commissary of prisoners shall direct concerning them. Browne, I am told, committed several robberies in this state before he took sanctuary on Staten-Island, and I should scarcely imagine that he has expiated the guilt of his former crimes by committing the greater one of joining the enemies of his country. However, if general Washington chooses to consider him also as a prisoner of war, I shall not interpose in the matter.

Iliff was executed after a trial by a jury, for enlisting our subjects, himself being one, as recruits in the British army, and he was apprehended on his way with them to Staten-Island. Had he never been subject to this state, he would have forfeited his life as spy. Mee was one of his company, and had also procured our subjects to enlist in the service of the enemy.

If these transactions, sir, should induce you to countenance greater severities towards our people, whom the fortune of war has thrown into your power, than they have already suffered, you will pardon me for thinking that you go farther out of your way to find palliatives for inhumanity than necessity seems to require; and if this be the cry of murder to which you allude as having reached your ears, I sincerely pity your ears for being so frequently assaulted with cries of murder much more audible, because much less distant.—I mean the cries of your prisoners who are constantly perishing in the gaols of New-York (the coolest and most deliberate kind of murder) from the rigorous manner of their treatment.

I am, with all due respect, your most humble servant,

WILLIAM LIVINGSTON.

James Robertson, esq. &c. &c. &c.

P. S. You have distinguished me by a title which I have neither authority nor ambition to assume. I know of no man, sir, who bears sway in this state. It is our peculiar felicity, and our superiority over the tyrannical system we have discarded, that we are not awayed by men.—In New-Jersey, sir, the laws alone bear sway.

November, 1781.

*Address delivered by M. Fabbe Baudete, to congress, the supreme executive council, and the assembly of*

*lvania, &c. &c. who were invited by his  
cy the minister of France, to attend in the  
Catholic church in Philadelphia, during  
bration of divine service, and thanksgiving  
capture of lord Cornwallis.*

xxx—A numerous people assembled to  
anks to the Almighty for his mercies, is  
e most affecting objects, and worthy the  
of the Supreme Being. While camps  
with triumphal acclamations—while na-  
ice in victory and glory, the most honora-  
a minister of the altar can fill, is to be  
by which public gratitude is conveyed  
nipotent.

miracles, which he once wrought for his  
ople, are renewed in our favor; and it  
equally ungrateful and impious not to  
dge, that the event which lately confound-  
emies, and frustrated their designs, was  
erful work of that God who guards your

so but he could so combine the circum-  
hich led to success? We have seen our  
ush forward, amid perils almost innumer-  
d obstacles almost insurmountable, to the  
ch was designed to witness their dis-  
t they eagerly sought it, as their theatre  
h!

as they were, they bore hunger, thirst,  
ment skies, poured their blood in battle  
rave republicans, and crossed immense  
o confine themselves in another Jericho,  
alls were fated to fall before another  
tis He, whose voice commands the winds,  
and the seasons, who formed a junction  
ime day, in the same hour, between a  
e fleet from the south, and an army rush-  
the north, like an impetuous torrent.  
he, in whose hands are the hearts of men,  
pire the allied troops with the friendships,  
fence, the tenderness of brothers? How is  
o nations once divided, jealous, inimical,  
d in reciprocal prejudices, are now be-  
closely united, as to form but one?—  
gs would say, it is the wisdom, the virtue,  
ration of their chiefs; it is a great national  
hich has performed this prodigy. They  
that to the skill of the generals, to the  
of the troops, to the activity of the whole  
must attribute this splendid success. Ah!  
gnorant, that the combining of so many  
circumstances, is an emanation from the

all perfect mind; that courage, that skill, that  
activity, bear the sacred impression of him who is  
divine.

For how many favors have we not to thank him  
during the course of the present year? Your union,  
which was at first supported by justice alone, has  
been consolidated by your courage: and the knot,  
which ties you together, is become indissoluble, by  
the accession of all the states, and the unanimous  
voice of all the confederates. You present to the  
universe the noble sight of a society, which, found-  
ed in equality and justice, secures to the individuals  
who compose it, the utmost happiness which can  
be derived from human institutions. This advan-  
tage, which so many other nations have been unable  
to procure, even after ages of efforts and misery,  
is granted by Divine Providence to the United  
States; and its adorable decrees have marked the  
present moment for the completion of that memora-  
ble and happy revolution which has taken place in  
this extensive continent. While your counsels were  
thus acquiring new energy, rapid and multiplied  
successes have crowned your arms in the southern  
states.

We have seen the unfortunate citizens of these  
states forced from their peaceful abodes; after a  
long and cruel captivity, old men, women and  
children, thrown, without mercy, into a foreign  
country. Master of their lands and their slaves,  
amid his temporary affluence, a superb victor  
rejoiced in their distresses. But Philadelphia has  
witnessed their patience and fortitude; they have  
found here another home, and, though driven from  
their native soil, they have blessed God, that he  
has delivered them from their enemies, and con-  
ducted them to a country where every just and  
feeling man has stretched out the helping hand of  
benevolence. Heaven rewards their virtues. Three  
large states are at once wrested from the foe. The  
rapacious soldier has been compelled to take refuge  
behind his ramparts; and oppression has vanished  
like those phantoms which are dissipated by the  
morning ray.

On this solemn occasion, we might renew our  
thanks to the God of battles, for the success he  
has granted to the arms of your allies, and your  
friends, by land and by sea, through the other parts  
of the globe. But let us not recal those events  
which too clearly prove how much the hearts of  
our enemies have been obdurate. Let us pro-  
strate ourselves at the altar, and implore the God  
of mercy to suspend his vengeance, to spare them  
in his wrath, to inspire them with sentiments of

justice and moderation, to terminate their obstinacy and error, and to ordain that your victories be followed by peace and tranquility. Let us beseech him to continue to shed on the councils of the king your ally, that spirit of wisdom, of justice, and of courage, which has rendered his reign so glorious. Let us intreat him to maintain in each of the states that intelligence by which the United States are inspired. Let us return him thanks that a faction, whose rebellion he has corrected, now deprived of support, is annihilated. Let us offer him pure hearts, unsoiled by private hatred or public dissention; and let us, with one will and one voice, pour forth to the Lord that hymn of praise, by which Christians celebrate their gratitude and his glory.

*Speech of his excellency William Livingston, esq. governor of the state of New-Jersey, to the legislature of that state, in the year 1777.*

GENTLEMEN—Having already laid before the assembly, by messages, the several matters that have occurred to me, as more particularly demanding their attention during the present session, it may seem less necessary to address you in the more ceremonious form of a speech. But conceiving it my duty to the state, to deliver my sentiments on the present situation of affairs, and the eventful contest between Great Britain and America, which could not, with any propriety, be conveyed in occasional messages, you will excuse my giving you the trouble of attending for that purpose.

After deploring with you, the desolation spread through this state by an unrelenting enemy, who have indeed marked their progress with a devastation unknown to civilized nations, and evincive of the most implacable vengeance—I heartily congratulate you upon that subsequent series of success wherewith it hath pleased the Almighty to crown the American arms; and particularly on the important enterprize against the enemy at Trenton, —and the signal victory obtained over them at Princeton, by the gallant troops under the command of his excellency general Washington.

Considering the contemptible figure they make at present, and the disgust they have given to many of their own confederates amongst us, by their more than Gothic ravages—(for thus doth the Great Disposer of events often deduce good out of evil)—their irruption into our dominion will probably redound to the public benefit. It has certainly enabled us the more effectually to distinguish our friends from our enemies. It has winnowed

the chaff from the grain. It has discriminated the temporising politician, who, at the first appearance of danger, was determined to secure his idol, property, at the hazard of the general weal, from the persevering patriot—who, having embarked his all in the common cause, chooses rather to risk—rather to lose that all, for the preservation of the more estimable treasure, liberty, than to possess it—(enjoy it he certainly could not)—upon the ignominious terms of tamely resigning his country and posterity to perpetual servitude. It has, in a word, opened the eyes of those who were made to believe, that their impious merit, in abetting our persecutors, would exempt them from being involved in the general calamity. But as the rapacity of the enemy was boundless—their havoc was indiscriminate, and their barbarity unparalleled. They have plundered friends and foes. Effects capable of division, they have divided. Such as were not, they have destroyed. They have warred upon decrepitude—warred upon defenceless youth. They have committed hostilities against the professors of literature, and the ministers of religion—against public records, and private monuments, and books of improvement, and papers of curiosity, and against the arts and sciences. They have butchered the wounded, asking for quarter; mangled the dying, weltering in their blood; refused to the dead the rites of sepulture; suffered prisoners to perish for want of sustenance; violated the chastity of women; disfigured private dwellings, of taste and elegance; and, in the rage of impiety and barbarism, profaned and prostrated edifices dedicated to Almighty God.

And yet there are amongst us, who, either from ambitious or lucrative motives—or intimidated by the terror of their arms—or from a partial fondness for the British constitution—or deluded by insidious propositions—are secretly abetting, or openly aiding their machinations, to deprive us of that liberty, without which man is a beast, and government a curse.

Besides the inexpressible baseness of wishing to rise on the ruins of our country—or to acquire riches at the expense of the liberties and fortunes of millions of our fellow-citizens—how soon would these delusive dreams, upon the conquest of America, end in disappointment? For where is the fund to recompense those retainers to the British arms? Was every estate in America to be confiscated, and converted into cash, the product would not satiate the avidity of their national dependents; nor furnish an adequate repast for the keen appetites of their own ministerial beneficiaries.

stead of gratuities and promotion, these unhappy accomplices in their tyranny, would meet with execrable looks and cold disdain; and, after sullen attendance, be finally told by their haughty masters, that they indeed approved the treason, but despised the traitor. Insulted, in fine, by their pretended protectors, but real betrayers—and loaded with the stings of their own consciences—they would remain the frightful monuments of human contempt and divine indignation, and linger to the rest of their days in self-condemnation and remorse—and in weeping over the ruins of their country, which themselves had been instrumental in reducing to desolation and bondage.

Others there are, who, terrified by the power of Britain, have persuaded themselves that she is not only formidable, but irresistible. That her power is great, is beyond question; that it is not to be despised, is the dictate of common prudence. But then we ought also to consider her, as weak in council, and ingulphed in debt—reduced in her trade—reduced in her revenue—immersed in pleasure—enervated with luxury—and, in dissipation and venality, surpassing all Europe. We ought to consider her as hated by a potent rival, her natural enemy, and particularly exasperated by her imperious conduct in the last war, as well as her insolent manner of commencing it; and thence flamed with resentment, and only watching a favorable juncture for open hostilities. We ought to consider the amazing expense and difficulty of transporting troops and provisions above three thousand miles, with the impossibility of recruiting their army at a less distance, save only with such recreants, whose conscious guilt must at the first approach of danger, appal the stoutest heart. Those insuperable obstacles are known and acknowledged by every virtuous and impartial man in the nation. Even the author of this horrid war is incapable of concealing his own confusion and distress. Too great to be wholly suppressed, it frequently discovers itself in the course of his speech—a speech terrible in word, and fraught with contradiction—breathing threatnings, and betraying terror—a motley mixture of magnanimity and consternation—of grandeur and abasement.—With troops invincible, he dreads a defeat, and wants reinforcements. Victorious in America, and triumphant on the ocean, he is an humble dependant on a petty prince; and apprehends an attack upon his own metropolis; and, with full confidence in the friendship and alliance of France, he trembles upon his throne, at her secret designs and open preparations.

With all this, we ought to contrast the numerous and hardy sons of America, inured to toil—seasoned alike to heat and cold—bale—robust—patient of fatigue—and, from their ardent love of liberty, ready to face danger and death—the immense extent of continent, which our infatuated enemies have undertaken to subjugate—the remarkable unanimity of its inhabitants, notwithstanding the exception of a few apostates and deserters—their unshaken resolution to maintain their freedom, or perish in the attempt—the fertility of our soil in all kinds of provisions necessary for the support of war—our inexhaustible internal resources for military stores and naval armaments—our comparative economy in public expenses—and the millions we save by having reprobated the farther exchange of our valuable staples for the worthless baubles and finery of English manufacture. Add to this, that in a cause so just and righteous on our part, we have the highest reason to expect the blessing of Heaven upon our glorious conflict. For who can doubt the interposition of the supremely just, in favor of a people forced to recur to arms in defence of every thing dear and precious, against a nation deaf to our complaints—rejoicing in our misery—wantonly aggravating our oppressions—determined to divide our substance—and by fire and sword to compel us into submission?

Respecting the constitution of Great Britain, bating certain royal prerogatives, of dangerous tendency, it has been applauded by the best judges; and displays, in its original structure, illustrious proofs of wisdom and the knowledge of human nature. But what avails the best constitution, with the worst administration? For what is their present government—and what has it been for years past, but a pensioned confederacy against reason, and virtue, and honor, and patriotism, and the rights of man? What were their leaders, but a set of political craftsmen, flagitiously conspiring to erect the babel, despotism, upon the ruins of the ancient and beautiful fabric of law—a shameless cabal, notoriously employed in deceiving the prince, corrupting the parliament, debasing the people, depressing the most virtuous, and exalting the most profligate—in short, an insatiable junto of public spoilers, lavishing the national wealth, and, by peculation and plunder, accumulating a debt already enormous? And what was the majority of their parliament, formerly the most august assembly in the world, but venal pensioners to the crown—a perfect muckery of all popular representation—and at the absolute devotion of every

minister? What were the characteristics of their administration of the provinces? The substitution of regal instructions in the room of law; the multiplication of officers to strengthen the court interest; perpetually extending the prerogatives of the king, and retrenching the rights of the subject, advancing to the most eminent stations, men without education, and of the most dissolute manners; employing, with the people's money, a band of emissaries to misrepresent and traduce the people; and, to crown the system of mis-rule, sporting with our persons and estates, by filling the highest seats of justice, with bankrupts, bullies, and block-heads.

From such a nation (though all this we bore, and should perhaps have borne for another century, had they not avowedly claimed the unconditional disposal of life and property) it is evidently our duty to be detached. To remain happy or safe in our connexion with her, became thenceforth utterly impossible. She is moreover precipitating her own fall, or the age of miracles is returned—and Britain a phenomenon in the political world, without a parallel.

The proclamations to ensnare the timid and credulous, are beyond expression disingenuous and tantalizing. In a gilded pill they conceal real poison: they add insult to injury. After repeated intimations of commissioners to treat with America, we are presented, instead of the peaceful olive-branch, with the devouring sword: instead of being visited by plenipotentiaries to bring matters to an accommodation, we are invaded by an army, in their opinion, able to subdue us—and upon discovering their error, the terms propounded amount to this, "If you will submit without resistance, we are content to take your property, and spare our lives; and then (the consummation of arrogance!) we will graciously pardon you, for having hitherto defended both."

Considering then their bewildered councils, their blundering ministry, their want of men and money, their impaired credit, and declining commerce, their lost revenues, and starving islands, the corruption of their parliament, with the effeminacy of their nation—and the success of their enterprise is against all probability. Considering farther, the horrid enormity of their waging war against their own brethren, expostulating for an audience, complaining of injuries, and supplicating for redress, and waging it with a ferocity and vengeance unknown to modern ages, and contrary to all laws, human

and divine; and we can neither question the justice of our opposition, nor the assistance of Heaven to crown it with victory.

Let us not, however, presumptuously rely on the interposition of Providence, without exerting those efforts which it is our duty to exert, and which our bountiful Creator has enabled us to exert. Let us do our part to open the next campaign with redoubled vigour; and until the United States have humbled the pride of Britain, and obtained an honorable peace, cheerfully furnish our proportion for continuing the war—a war, founded on our side on the immutable obligation of self defence and in support of freedom, of virtue, and every thing tending to ennoble our nature, and render a people happy—on their part, prompted by boundless avarice, and a thirst for absolute sway, and built on a claim repugnant to every principle of reason and equity—a claim subversive of all liberty, natural, civil, moral, and religious; incompatible with human happiness, and usurping the attributes of deity, degrading man, and blaspheming God.

Let us all, therefore, of every rank and degree, remember our plighted faith and honor, to maintain the cause with our lives and fortunes. Let us inflexibly persevere in prosecuting to a happy period, what has been so gloriously begun, and hitherto so prosperously conducted. And let those in more distinguished stations use all their influence and authority, to rouse the supine; to animate the irresolute; to confirm the wavering, and to draw from his lurking hole, the skulking neutral, who, leaving to others the heat and burden of the day, means in the final result to reap the fruits of that victory, for which he will not contend. Let us be peculiarly assiduous in bringing to condign punishment, those detestable parricides who have been openly active against their native country. And may we, in all our deliberations and proceedings, be influenced and directed by the Great Arbiter of the fate of nations, by whom empires rise and fall, and who will not always suffer the sceptre of the wicked to rest on the lot of the righteous, but in due time avenge an injured people on their unfeeling oppressor, and his bloody instruments.

*Haldensfeld, Feb. 25, 1777.*

[It has been controverted whether the capture of gen. Cornwallis was the result of a plan preconcerted between gen. Washington and count de Grasse: or rather whether the arrival of the count in the Chesapeake, was pre-determined and expected by gen. Washington, and consequently all the prepara-

*tions to attack New York, a mere finesse to deceive the enemy, or whether the real intention was against New York, and the siege of Yorktown planned upon the unexpected arrival of the French fleet in the bay. The following letter will set the matter in its true light.]*

[Carey's Museum.

MOUNT VERNON, July 31, 1788.

SIR—I duly received your letter of the 14th inst. and can only answer you briefly and generally from memory; that a combined operation of the land and naval forces of France in America, for the year 1781, was preconcerted the year before; that the point of attack was not absolutely agreed upon\*, because it could not be foreknown where the enemy would be most susceptible of impression; and because we (having the command of the water with sufficient means of conveyance) could transport ourselves to any spot with the greatest celerity; that it was determined by me, nearly twelve months before hand, at all hazards, to give out, and cause it to be believed by the highest military as well as civil officers, that New-York was the destined place of attack, for the important purpose of inducing the eastern and middle states to make greater exertions in furnishing specific supplies, than they otherwise would have done, as well as for the interesting purpose of rendering the enemy less prepared elsewhere; that, by these means, and these alone, artillery, boats, stores, and provisions, were in seasonable preparation to move with the utmost rapidity to any part of the continent; for the difficulty consisted more in providing, than knowing how to apply the military apparatus; that, before the arrival of the count de Grasse, it was the fixed determination to strike the enemy in the most vulnerable quarter, so as to insure success with moral certainty, as our affairs were then in the most ruinous train imaginable; that New-York was thought to be beyond our effort, and consequently, that the only hesitation that remained, was between an attack upon the British army in Virginia, and that in Charleston: and finally, that, by the intervention of several communications, and some incidents which cannot be detailed in a letter, the hostile post in Virginia, from being a provisional and strongly expected, became the definitive and certain object of the campaign.

I only add, that it never was in contemplation to attack New-York, unless the garrison should

\*Because it would be easy for count de Grasse, in good time before his departure from the West Indies, to give notice, by express, at what place he could most conveniently first touch to receive advice.

first have been so far degarnished, to carry on the southern operations, as to render our success in the siege of that place, as infallible as any future military event can ever be made. For I repeat it, and dwell upon it, again, ~~some~~ a splendid advantage (whether upon a larger or smaller scale was almost immaterial) was so essentially necessary, to revive the expiring hopes and languid exertions of the country, at the crisis in question, that I never would have consented to embark in any enterprize wherein, from the most rational plan and accurate calculations, the favorable issue should not have appeared to my view as a ray of light. The failure of an attempt against the posts of the enemy, could, in no other possible situation during the war, have been so fatal to our cause.

That much trouble was taken, and finesse used, to misguide and bewilder sir Henry Clinton, in regard to the real object, by fictitious communications, as well as by making a deceptive provision of ovens, forage, and boats in his neighborhood, is certain: nor were less pains taken to deceive our own army; for I had always conceived, where the imposition does not completely take place at home, it would never sufficiently succeed abroad.

Your desire of obtaining truth, is very laudable; I wish I had more leisure to gratify it, as I am equally solicitous the undisguised verity should be known. Many circumstances will unavoidably be misconceived, and misrepresented. Notwithstanding most of the papers, which may properly be deemed official, are preserved; yet the knowledge of innumerable things of a more delicate and secret nature, is confined to the perishable remembrance of some few of the present generation.

With esteem, I am, sir, your most obedient humble servant,

GEORGE WASHINGTON.

FROM THE AMERICAN MERCURY.

*Tarring and feathering, originally, a Yankee trick.*

This appears from the speech of *M<sup>r</sup> Fingal*, the tory Sagamore, to the Yankee mob.

"Was there a Yankee trick ye knew,  
They did not play as well as you?  
Did they not lay their heads together,  
And gain your art to tar and feather?"

*Tarring and feathering lawful!*

This appears by the authority of the sentence which was pronounced on *M<sup>r</sup> Fingal*—(*M<sup>r</sup> Fingal*, by John Trumbull, esq. page 60—1.) This sentence, be it remembered, though seemingly the order and decree of a committee, in fact, had its

origin in the brain of a man who was a judge of the supreme court, of the state of *Connecticut*. Whether appointed judge from this specimen of his *judicial knowledge*, or not, is not now in question—but let us hear the sentence pronounced on *M'Fingal*, king of the tories.

“Meanwhile beside the pole, the guard  
A bench of justice had prepared,  
Where, sitting round in awful sort,  
The grand committee hold the court:  
While all the crew in silent awe,  
Wait from their lips the lore of law.  
Few moments with deliberation,  
They hold the solemn consultation,  
When soon in judgment all agree,  
And clerk declares the dread decree:  
“That squire *M'Fingal*, having grown  
The vilest tory in the town,  
And now on full examination,  
Convicted by his own confession,  
Finding no token of repentance,  
This court proceed to render sentence:  
That first the mob a slip-knot single,  
Tie round the neck of said *M'Fingal*;  
And in due form do tar him next,  
And feather, as the law directs:  
Then thro' the town attendant ride him,  
In cart with constable beside him,  
And having held him up to shame,  
Bring to the pole from whence he came.”

Vision and prediction of *M'Fingal*, king of the tories, when in his coat of tar and feathers.

“Tar yet in embryo in pine,  
Shall run on tories' backs to shine;  
Trees rooted fair in groves of fallows,  
Are growing for our future gallows;  
And geese unhatched, when pluck'd in fray,  
Shall rue the feath'ring of that day.”

*M'Fingal*, by J. Trumbull, esq. page 60.

#### CAPTAIN WILLIAM CUNNINGHAM.

The following is copied from the *American Apollo*, No. 7, Friday, February 17, 1792, vol. I. printed at Boston, by *Belknap and Young*, State street, (a weekly paper in the form of a pamphlet.)

“The life, confession, and last dying words of captain William Cunningham, formerly British provost marshal, in the city of New-York, who was executed in London, the 10th of August, 1791.

“I, William Cunningham, was born in Dublin barracks, in the year 1738. My father was trumpeter to the Blue dragoons, and at the age of 8

years I was placed with an officer as his servant, in which station I continued until I was 16, and being a great proficient in horsemanship, was taken as an assistant to the riding master of the troop, and in the year 1761, was made sergeant of dragoons; but the peace coming the year following, I was disbanded. Being bred to no profession, I took up with a woman who kept a gin shop in a blind alley, near the Coal Quay; but the house being searched for stolen goods, and my doxy taken to Newgate, I thought it most prudent to decamp; accordingly set off for the North, and arrived at Drogheda, where, in a few months after, I married the daughter of an exciseman, by whom I had three sons.

“About the year 1772, we removed to Newry, where I commenced the profession of a scowbanker, which is that of enticing the mechanics and country people to ship themselves for America, on promises of great advantage, and then artfully getting an indenture upon them; in consequence of which, on their arrival in America, they are sold or obliged to serve a term of years for their passage. I embarked at Newry in the ship *Needham* for New-York, and arrived at that port the fourth day of August, 1774, with some indented servants I kidnapped in Ireland, but were liberated in New-York, on account of the bad usage they received from me during the passage. In that city I used the profession of breaking horses, and teaching ladies and gentlemen to ride, but rendering myself obnoxious to the citizens in their infant struggles for freedom, I was obliged to fly on board the *Asian* man of war, and from thence to Boston, where my own opposition to the measures pursued by the Americans in support of their rights, was the first thing that recommended me to the notice of gen. Gage, and when the war commenced, I was appointed provost marshal to the royal army, which placed me in a situation to wreak my vengeance on the Americans. I shudder to think of the murders I have been accessory to, both with and without orders from government, especially while in New-York, during which time there were more than two thousand prisoners starved in the different churches by stopping their rations, which I sold.

“There were also two hundred and seventy-five American prisoners and obnoxious persons executed, out of which number there were only about one dozen public executions, which chiefly consisted of British and Hessian deserters. The mode for private executions was thus conducted:—A

guard was dispatched from the provost, about half after 12 at night, to the Barrack-street, and the neighborhood of the upper barracks, to order the people to shut their window shutters and put out their lights, forbidding them, at the same time to presume to look out of their windows and doors, on pain of death; after which, the unfortunate prisoners were conducted, gagged, just behind the upper barracks, and hung without ceremony, and there buried by the black pioneer of the provost.

"At the end of the war I returned to England with the army, and settled in Wales, as being a cheaper place of living than in any of the populous cities, but being at length persuaded to go to London, I entered so warmly into the dissipations of that capital, that I soon found my circumstances much embarrassed. To relieve which, I mortgaged my half pay to an army agent, but that being soon expended, I forged a draft for three hundred pounds sterling on the board of ordnance, but being detected in presenting it for acceptance, I was apprehended, tried and convicted, and for that offence am here to suffer an ignominious death.

"I beg the prayers of all good Christians, and also pardon and forgiveness of God for the many horrid murders I have been accessory to.

"WILLIAM CUNNINGHAM."

#### MILITARY ORDERS IN 1779.

*Copy of general Wayne's orders, issued on the evening previous to the attack on Stony Point.*

HEAD-QUARTERS, Fort Montgomery,

Light infantry—July 15, 1779.

The troops will parade on beating the assemble. Taking it from the right, they will march, on beating the troop, and move by the right. Proper halting places will be fixed and every officer and non-commissioned officer will remain with and be accountable for every man of their platoons. No soldier to be permitted to quit the ranks on any pretence whatever, until a general halt is made, and then to be attended by one of the officers of the platoon. As soon as the troops assemble, this order to be read at the head of each:

The troops will march from Clement's to Stony Point, at 11 o'clock, and move by the right. Every officer and non commissioned officer will remain with and be accountable for every man in his platoon. No soldier to be permitted to quit the ranks on any pretence whatever, until a general halt is made, and then to be attended by one of the officers of the platoon.

When the van of the troops arrive in the rear of the hill, col. Fabager will form his regiment in a solid column of half platoons, in front, as fast as they come up; col. Meigs will form next in Fabager's rear, and major Hull in the rear of Meigs, which will be the right column; col. Butler will form a column on the left of Fabager, and major Murphy in his rear—every officer and soldier will then fix a piece of white paper in his hat or cap, to distinguish him from the enemy.

At the word *match*, col. Flury will take charge of 100 determined and picked men, properly officered, with their guns unloaded, their whole dependence to be on their bayonets, will move 20 paces in front of the right column by the rout No. 1, enter the sally-port C.; he is to detach an officer and 20 men a little in front of him, whose business it will be to secure the sentries, and remove the abbatees, and other obstructions, for the column to pass through. The column will follow close in the rear, with shouldered arms, under the command of col. Fabager, with gen. Wayne in person; when the works are forced, (and not before) the victorious troops will as they enter give the watch-word, *the Fort's our own*, with repeated and loud voice, driving the enemy from their works and guns, which will favor the pass of the whole; should the enemy refuse to surrender, or attempt to make their escape by water or otherwise, vigorous means must be used to compel them to the former, and prevent their accomplishing the latter. Col. Butler will move by the rout No. 2, preceded by 100 men with fixed bayonets and unloaded muskets, under the command of major Stewart, who will observe a distance of 20 paces in front of the column, which will immediately follow under the command of col. Butler, with shouldered muskets, and will enter the sally-port C. or D.

The officer commanding the above 100 men will also detach a proper officer, with 20 men, a little in front, to remove the obstructions—as soon as they gain the work, they will also give and continue the watch-word, which will prevent confusion and mistakes.

Major Murphy will follow colonel Butler to the first figure, No. 3, where he will divide a little to the right and left and wait the attack on the right, which will be a signal to begin and keep up a perpetual and galling fire, and endeavor to enter between, and pass the work A. A. If any soldier presumes to take his musket from his shoulder, attempts to fire or begin the battle till ordered by his proper officer, he shall be immediately put to



death by the officer next to him; for the cowardice and misconduct of one man is not to put the whole in danger and disorder with impunity. After the troops begin to advance to the works, the strictest silence must be observed and the greatest attention paid to the command of the officers; as soon as the lines are secured, the officers of the artillery, with their commands, will take possession of the cannon, to the end that the shipping may be secured and the Fort at Verplank's Point annoyed, so as to facilitate the attack upon that quarter. The general has the fullest confidence in the bravery and fortitude of the corps he has the happiness to command. The distinguished honor conferred on every officer and soldier who has been drafted into this corps, by his excellency general Washington, the credit of the states they respectively belong to, and their own reputation, will be such powerful motives for each man to distinguish himself, that the general cannot have the least doubt of a glorious victory. And further, he solemnly engages to reward the first man who enters the works with \$500 and immediate preferment, to the second 400, to the third 300, to the fourth 200, to the fifth 100, and will report the conduct of every officer and soldier who distinguishes himself on this occasion, in the most favorable point of view, to his excellency, who always takes the greatest pleasure in rewarding merit. But should there be any soldier so lost to every feeling, every sense of honor, as to attempt to retreat one single foot, or shrink from the places of danger, the officer next to him is to put him immediately to death, that he may no longer disgrace the name of a soldier, the corps or the state to which he belongs.

As the general is determined to share the dangers of the night, so he wishes to participate the glory of the day, in common with his brother soldiers.

(Signed)

A. WAYNE.

#### GRATITUDE OF GENERAL GATES.

*From the genuine letter of an officer.*

An old soldier of the royal regiment of artillery, who served me while the 18th regiment was at Fort Pitt and the Illinois, on our return from that country to Philadelphia, in 1772, came to me with a happy smile on his countenance, and told me he had the honor to receive a letter from major Gates, and begged me to read it. I asked him how he came to correspond with major Gates. Please your honor, said the old man, major Gates was dangerously wounded at Braddock's defeat, and was left among the slain, I was wounded also, but

made a shift to carry the worthy captain Gates (he was then a captain) off the field. He has often told me since, that he owed his life to me, and charged me at parting, that whenever I thought he could in any instance serve me, to write to him without reserve; so, please your honor, (this is a soldier's dialect to all officers) I am now grown old, and worn out in the service, and expect to be invalided and sent home, but have been long in America, and I like America, please your honor; I accordingly took the liberty to write to major Gates for his advice, and this is his answer. He has also wrote to major Hay, to give me every indulgence the service will admit of. I hope your honor will give me your opinion what is best to be done. I read the letter; but had not read far, before I was sensibly touched with the sentiments of the writer. After re-capitulating the service the veteran had rendered him at Braddock's field, he says, "do as you please, respecting your small pittance of pension. Thou hast served long, but thy service has not brought thee rest for thy wounds and infirmities. I find by your letter that you wish to continue in America, therefore make yourself easy; when you receive your discharge, repair to my plantation on Potomac river. I have got a fine tract of land there, which not only furnishes me with all the necessaries, but all the comforts of life; come and rest your firelock in my chimney corner, and partake with me; while I live, my savior Penfold shall not want; and it is my wish, as well as Mrs. Gates's, to see you spend the evening of your life comfortably. Mrs. Gates desires to be affectionately remembered to you."

#### INDIGNANT LANGUAGE.

Mr. Pitt's speech in 1777, in opposition to lord Suffolk, who proposed to parliament to employ the Indians against the Americans, and said, in the course of the debate, that "*they had a right to use all the means that God and nature had put into their hands to conquer America.*"

"My lords—I am astonished to hear such principles confessed! I am shocked to hear them avowed in this house, or in this country! Principles, equally unconstitutional, inhuman, and unchristian!"

My lords, I did not intend to have encroached again on your attention; but I cannot repress my indignation. I feel myself impelled by every duty. My lords we are called upon as members of this house, as men, as Christian men, to protest against such notions standing near the throne, polluting

the ear of majesty. "That God and nature put into our hands!" I know not what ideas that lord may entertain of God and nature; but I know, that such abominable principles are equally abhorrent to religion and humanity.

What! to attribute the sacred sanction of God and nature to the massacres of the Indian scalping knife! to the cannibal savage, torturing, murdering, roasting, and eating; literally, my lords, *eating* the mangled victims of his barbarous battles! Such horrible notions shock every precept of religion, divine or natural, and every generous feeling of humanity. And, my lords, they shock every sentiment of honor; they shock me as a lover of honorable war, and a detester of murderous barbarity.

These abominable principles, and this more abominable avowal of them, demand the most decisive indignation. I call upon that right reverend bench, those holy ministers of the gospel, and pious pastors of our church: I conjure them to join in the holy work, and vindicate the religion of their God. I appeal to the wisdom and the law of this *learned bench*, to defend and support the justice of their country. I call upon the bishops to interpose the unsullied sanctity of their *lawns*, upon the learned judges, to interpose the purity of their *ermine*, to save us from this pollution. I call upon the honor of your lordships, to reverence the dignity of your ancestors, and to maintain your own. I call upon the spirit and humanity of my country, to vindicate the national character. I invoke the genius of the constitution.

From the tapestry that adorns these walls, the immortal ancestor of this noble lord frowns with indignation at the disgrace of his country. In vain he led your victorious fleets against the boasted armada of Spain, in vain he defended and established the honor, the liberties, the religion, the protestant religion of this country, against the arbitrary cruelties of popery and the inquisition, if these more than popish cruelties and inquisitorial practices are let loose among us; to turn forth into our settlements, among our ancient connections, friends, and relations, the merciless cannibal, thirsting for the blood of man, woman and child! to send forth the infidel savage—against whom? against your protestant brethren; to lay waste their country; to desolate their dwellings, and extirpate their race and name, with these horrible hell-hounds of savage war!

Spain armed herself with blood-hounds, to extirpate the wretched natives of America; and we im-

prove on the inhuman example even of Spanish cruelty. We turn loose these savage hell-hounds against our brethren and countrymen in America, of the same language, laws, liberties, and religion, endeared to us by every tie that should sanctify humanity.

My lords, this awful subject, so important to our honor, our constitution, and our religion, demands the most solemn and effectual enquiry.—And I again call upon your lordships and the united powers of the state, to examine it thoroughly, and decisively, and to stamp upon it an indelible stigma of the public abhorrence. And I again implore those holy prelates of our religion, to do away these iniquities from among us. Let them perform a lustration; let them purify this house, and this country from this sin.

My lords, I am old and weak, and at present unable to say more; but my feelings and indignation were too strong to have said less. I could not have slept this night in my bed, nor reposed my head on my pillow, without giving this vent to my eternal abhorrence of such preposterous and enormous principles."

#### SURRENDER OF LORD CORNWALLIS.

*From sir N. W. Wraxall's memoirs of his own time.*

NOVEMBER, 1781.—During the whole month of November, the concurring accounts transmitted to government, enumerating lord Cornwallis's embarrassments, and the positions taken by the enemy, augmented the anxiety of the cabinet. Lord George Germain, in particular, conscious that on the prosperous or adverse termination of that expedition, must hinge the fate of the American contest, his own stay in office, as well as probably the duration of the ministry itself, felt, and even expressed to his friends, the strongest uneasiness on the subject. The meeting of parliament meanwhile stood fixed for the 27th of November. On Sunday the 25th, about noon, official intelligence of the surrender of the British forces at Yorktown, arrived from Falmouth, at lord Germain's house in Pall mall. Lord Walsingham, who, previous to his father sir William de Grey's elevation to the peerage, had been under secretary of state in that department, and who was selected to second the address in the house of peers, on the subsequent Tuesday, happened to be there when the messenger brought the news. Without communicating it to any other person, lord George, for the purpose of despatch, immediately got with him into a hackney-coach and drove to lord Stormount's residence in Portland-place. Having imparted to him the

disastrous information, and taken him into the carriage, they instantly proceeded to the Chancellor's house in Great Russell-street, Bloomsbury, whom they found at home; when, after a short consultation, they determined to lay it themselves, in person, before lord North. He had not received any intimation of the event when they arrived at his door, in Downing street, between 1 and 2 o'clock. The first minister's firmness, and even his presence of mind, gave way for a short time, under this awful disaster. I asked lord George afterwards, how he took the communication, when made to him? "As he would have taken a ball in his breast," replied lord George. For he opened his arms, exclaiming wildly, as he paced up and down the apartment during a few minutes, "Oh God! it is all over!" Words which he repeated many times, under emotions of the deepest agitation and distress.

When the first agitation of their minds had subsided, the four ministers discussed the question; whether or not it might be expedient to prorogue parliament for a few days; but, as scarcely an interval of forty-eight hours remained before the appointed time of assembling, and as many members of both houses were already either arrived in London, or on the road, that proposition was abandoned. It became, however, indispensable to alter, and almost model anew the king's speech, which had been already drawn up, and completely prepared for delivery from the throne. This alteration was therefore made without delay; and at the same time, lord George Germain, as secretary for the American department, sent off a despatch to his majesty, who was then at Kew, acquainted him with the melancholy termination of lord Cornwallis's expedition. Some hours having elapsed, before these different, but necessary acts of business could take place, the ministers separated, and lord George Germain repaired to his office in Whitehall. There he found a confirmation of the intelligence, which arrived about two hours after the first communication; having been transmitted from Dover, to which place it was forwarded from Calais with the French account of the same event.

I dined on that day at lord George's; and though the information, which had reached London in the course of the morning, from two different quarters, was of a nature not to admit of long concealment; yet it had not been communicated either to me, or to any individual of the company, as it might naturally have been through the channel of com-

mon report, when I got to Pall-mall, between five and six o'clock.—Lord Walsingham, who likewise dined there, was the only person present, except lord George, who was acquainted with the fact.—The party, nine in number, sat down to table. I thought the master of the house appeared serious, though he manifested no discomposure. Before the dinner was finished, one of his servants delivered him a letter, brought back by the messenger who had been despatched to the king. Lord George opened and perused it: then looking at lord Walsingham, to whom he exclusively directed his observation, "The king writes" said he "just as he always does, except that I observe he has omitted to mark the hour and the minute of his writing with his usual precision." This remark, though calculated to awaken some interest, excited no comment; and while the ladies, lord George's three daughters, remained in the room, we repressed our curiosity. But they had no sooner withdrawn, than lord George having acquainted us, that from Paris information had just arrived of the old Count de Maurepas, first minister, lying at the point of death: "It would grieve me," said I, "to finish my career, however far advanced in years, were I first minister of France, before I had witnessed the termination of this great contest between England and America." "He has survived to see that event," replied lord George, with some agitation. Utterly unsuspecting of the fact which had happened beyond the Atlantic, I conceived him to allude to the indecisive naval action fought at the mouth of the Chesapeake, early in the preceding month of September, between admiral Graves and count de Grasse; which, in its results, might prove most injurious to lord Cornwallis. Under this impression, "my meaning," said I, "is that if I were the Count de Maurepas, I should wish to live long enough, to behold the final issue of the war in Virginia." "He has survived to witness it completely," answered lord George.—"The army has surrendered, and you may peruse the particulars of the capitulation in that paper," taking at the same time one from his pocket, which he delivered into my hand, not without visible emotion. By his permission I read it aloud, while the company listened in profound silence. We then discussed its contents, as it affected the ministry, the country and the war. It must be confessed that they were calculated to diffuse a gloom over the most convivial society, and that they opened a wide field for political speculation.

After perusing the account of lord Cornwallis's surrender at York-Town, it was impossible for all

present not to feel a lively curiosity to know how the king had received the intelligence, as well as how he had expressed himself in his note to lord George Germain, on the first communication of so painful an event. He gratified our wish by reading it to us, observing at the same time, that it did the highest honor to his majesty's fortitude, firmness and consistency of character. The words made an impression on my memory which the lapse of more than thirty years has not erased; and I shall here commemorate its tenor, as serving to show how that prince felt and wrote, under one of the most afflicting, as well as humiliating occurrences of his reign. The billet ran nearly to this effect: "I have received, with sentiments of the deepest concern, the communication which lord George Germain had made me, of the unfortunate result of the operations in Virginia. I particularly lament it, on account of the consequences connected with it, and the difficulties which it may produce in carrying on the public business, or in repairing such a misfortune.—But I trust that neither lord George Germain, nor any member of the cabinet, will suppose that it makes the smallest alteration in those principles of my conduct which have directed me in past times, and which will always continue to animate me under every event, in the prosecution of the present contest." Not a sentiment of despondency or of despair was to be found in the letter; the very hand-writing of which indicated composure of mind.—Whatever opinion we may entertain relative to the practicability of reducing America to obedience by force of arms, at the end of 1781, we must admit that no sovereign could manifest more calmness, dignity or self-command than George III. displayed in this reply.

Severely as the general effect of the blow received in Virginia was felt throughout the nation, yet no immediate symptoms of ministerial dissolution, or even of parliamentary defection became visible in either house. All the animated invectives of Fox, aided by the contumelious irony of Burke, and sustained by the dignified denunciations of Pitt, calisted on the same side, made little apparent impression on their hearers, who seemed stupified by the disastrous intelligence. Yet never probably, at any period of our history, was more indignant language used by the opposition, or supported by administration. In the ardor of his feelings at the recent calamity beyond the Atlantic, Fox not only accused ministers of being virtually in the pay of France, but menaced them with the vengeance of an undone people, who would speedily

compel them to expiate their crimes on the public scaffold. Burke, with inconceivable warmth of coloring, depicted the folly and impracticability of taxing America by force, or, as he described it, "shearing the wolf." The metaphor was wonderfully appropriate, and scarcely admitted of denial. Pitt levelled his observations principally against the cabinet, whom he represented as destitute of principle, wisdom or union of design. All three were sustained, and I had almost said, outdone by Mr. Thomas Pitt, who, in terms of gloomy despondency, seemed to regard the situation of the country as scarcely admitting of a remedy, under such a parliament, such ministers and such a sovereign. Lord North, in this moment of general depression, found resources within himself.—He scornfully repelled the insinuations of Fox, as deserving only contempt, justified the principle of the war, which did not originate in a despotic wish to tyrannize over America, but from the desire of maintaining the constitutional authority of parliament over the colonies; deplored, in common with the opposition, the misfortunes which had marked the progress of the contest; defied the threat of punishment; and finally adjured the house not to aggravate the present calamity by dejection or despair, but, by united exertion, to secure our national extrication.

### Massachusetts state Papers.

SPEECH OF THE GOVERNOR TO BOTH HOUSES,

February 16, 1773.

*Gentlemen of the council, and*

*Gentlemen of the house of representatives:*

The proceedings of such of the inhabitants of the town of Boston, as assembled together, and passed and published their resolves or votes, as the act of the town, at a legal town meeting, denying, in the most express terms, the supremacy of parliament, and inviting every other town and district in the province, to adopt the same principle, and to establish committees of correspondence, to consult upon proper measures to maintain it, and the proceedings of divers other towns, in consequence of this invitation, appeared to me to be so unwarrantable, and of such a dangerous nature and tendency, that I thought myself bound to call upon you in my speech at opening the session, to join with me in discountenancing and bearing a proper testimony against such irregularities and innovations.

I stated to you fairly and truly, as I conceived, the constitution of the kingdom and of the province, so far as relates to the dependence of the

former upon the latter; and I desired you, if you differed from me in sentiments, to show me, with candor, my own errors, and to give your reasons in support of your opinions, so far as you might differ from me. I hoped that you would have considered my speech by your joint committees, and have given me a joint answer; but, as the house of representatives have declined that mode of proceeding, and as your principles in government are very different, I am obliged to make separate and distinct replies. I shall first apply myself to you,

*Gentlemen of the council:*

The two first parts of your answer, which respect the disorders occasioned by the stamp act, and the general nature of supreme authority, do not appear to me to have a tendency to invalidate any thing which I have said in my speech; for, however the stamp act may have been the immediate occasion of any disorders, the authority of parliament was, notwithstanding, denied, in order to justify or excuse them. And, for the nature of the supreme authority of parliament, I have never given you any reason to suppose, that I intended a more absolute power in parliament, or a greater degree of active or passive obedience in the people, than what is founded in the nature of government, let the form of it be what it may. I shall, therefore, pass over those parts of your answer, without any other remark. I would also have saved you the trouble of all those authorities which you have brought to show, that all taxes upon English subjects, must be levied by virtue of the act, not of the king alone, but in conjunction with the lords and commons, for I should very readily have allowed it; and I should as readily have allowed, that all other acts of legislation must be passed by the same joint authority, and not by the king alone.

Indeed, I am not willing to continue a controversy with you, upon any other parts of your answer. I am glad to find, that independence is not what you have in contemplation, and that you will not presume to prescribe the exact limits of the authority of parliament, only, as with due deference to it, you are humbly of opinion, that, as all human authority in the nature of it is, and ought to be limited, it cannot constitutionally extend, for the reasons you have suggested, to the levying of taxes, in any form, on his majesty's subjects of this province.

I will only observe, that your attempts to draw a line as the limits of the supreme authority in government, by distinguishing some natural rights,

as more peculiarly exempt from such authority than the rest, rather tend to evince the impracticability of drawing such a line; and that some parts of your answer seem to infer a supremacy in the province, at the same time that you acknowledge the supremacy of parliament; for otherwise, the rights of the subjects cannot be the same in all essential respects, as you suppose them to be, in all parts of the dominions, "under a like form of legislature."

From these, therefore, and other considerations, I cannot help flattering myself, that upon more mature deliberation, and in order to a more consistent plan of government, you will choose rather to doubt of the expediency of parliament's exercising its authority in cases that may happen, than to limit the authority itself, especially, as you agree with me in the proper method of obtaining a redress of grievances by constitutional representations, which cannot well consist with a denial of the authority to which the representations are made; and from the best information I have been able to obtain, the denial of the authority of parliament, expressly, or by implication, in those petitions to which you refer, was the cause of their not being admitted, and not any advice given by the minister to the agents of the colonies. I must enlarge, and be more particular in my reply to you,

*Gentlemen of the house of representatives:*

I shall take no notice of that part of your answer, which attributes the disorders of the province, to an undue exercise of the power of parliament; because you take for granted, what can by no means be admitted, that parliament had exercised its power without just authority. The sum of your answer, so far as it is pertinent to my speech, is this.

You allege that the colonies were an acquisition of foreign territory, not annexed to the realm of England; and, therefore, at the absolute disposal of the crown; the king having, as you take it, a constitutional right to dispose of, and alienate any part of his territories, not annexed to the realm; that queen Elizabeth accordingly conveyed the property, dominion, and sovereignty of Virginia, to sir Walter Raleigh, to be held of the crown by homage and a certain render, without reserving any share in the legislative and executive authority; that the subsequent grants of America were similar in this respect; that they were without any reservation for securing the subjection of the colonists to the parliament, and future laws of England; that this was the sense of the English crown, the na-

tion, and our predecessors, when they first took possession of this country; that, if the colonies were not then annexed to the realm, they cannot have been annexed since that time; that, if they are not now annexed to the realm, they are not part of the kingdom; and, consequently, not subject to the legislative authority of the kingdom; for no country, by the common law, was subject to the laws or to the parliament, but the realm of England.

Now, if this foundation shall fail you in every part of it, as I think it will, the fabric which you have raised upon it must certainly fall.

Let me then observe to you, that as English subjects, and agreeable to the doctrine of feudal tenure, all our lands and tenements are held immediately, or immediately, of the crown, and although the possession and use, or profits, be in the subject, there still remains a dominion in the crown. When any new countries are discovered by English subjects, according to the general law and usage of nations, they become part of the state, and, according to the feudal system, the lordship or dominion, is in the crown; and a right accrues of disposing of such territories, under such tenure, or for such services to be performed, as the crown shall judge proper; and whensoever any part of such territories, by grant from the crown, becomes the possession or property of private persons, such persons, thus holding, under the crown of England, remain, or become subjects of England, to all intents and purposes, as fully as if any of the royal manors, forests, or other territory, within the realm, had been granted to them upon the like tenure. But that it is now, or was, when the plantations were first granted, the prerogative of the kings of England to alienate such territories from the crown, or to constitute a number of new governments, altogether independent of the sovereign legislative authority of the English empire, I can by no means concede to you. I have never seen any better authority to support such an opinion, than an anonymous pamphlet, by which, I fear, you have too easily been misled; for I shall presently show you, that the declarations of king James the I. and of king Charles the I. admitting they are truly related by the author of this pamphlet, ought to have no weight with you; nor does the cession or restoration, upon a treaty of peace, of countries which have been lost or acquired in war, militate with these principles; nor may any particular act of power of a prince, in selling, or delivering up any part of his dominions to a foreign

prince or state, against the general sense of the nation, be urged to invalidate them; and, upon examination, it will appear, that all the grants which have been made of America, are founded upon them, and are made to conform to them, even those which you have adduced in support of very different principles.

You do not recollect that, prior to what you call the first grant by queen Elizabeth to sir Walter Raleigh, a grant had been made by the same princess, to sir Humphrey Gilbert, of all such countries as he should discover, which were to be of the allegiance of her, her heirs and successors; but he dying in the prosecution of his voyage, a second grant was made to sir Walter Raleigh, which, you say, conveyed the dominion and sovereignty, without any reserve of legislative or executive authority, being held by homage and a render. To hold by homage, which implies fealty and a render, is descriptive of soccage tenure, as fully as if it had been said to hold, as of our manor of East Greenwich, the words in your charter. Now, this alone was a reserve of dominion and sovereignty in the queen, her heirs and successors; and, besides this, the grant is made upon this express condition, which you pass over, that the people remain subject to the crown of England, the head of that legislative authority, which, by the English constitution, is equally extensive with the authority of the crown, throughout every part of the dominions. Now, if we could suppose the queen to have acquired, separate from her relation to her subjects, or in her natural capacity, which she could not do, a title to a country discovered by her subjects, and then to grant the same country to English subjects, in her public capacity as queen of England, still, by this grant, she annexed it to the crown. Thus, by not distinguishing between the crown of England and the kings and queens of England, in their personal or natural capacities, you have been led into a fundamental error, which must prove fatal to your system. It is not material, whether Virginia reverted to the crown by sir Walter's attainder, or whether he never took any benefit from his grant, though the latter is most probable, seeing he ceased from all attempts to take possession of the country after a few years trial. There were, undoubtedly, divers grants made by king James the I. of the continent of America, in the beginning of the seventeenth century, and similar to the grant of queen Elizabeth, in this respect, that they were dependent on the crown. The charter to the council at Plymouth, in Devon, dated November 3, 1620,

more immediately respects us, and of that we have the most authentic remains.

By this charter, upon the petition of sir Ferdinando Gorges, a corporation was constituted, to be, and continue by succession, forever in the town of Plymouth aforesaid, to which corporation, that part of the American continent, which lies between 40 and 48 degrees of latitude, was granted, to be held of the king, his heirs and successors, as of the manor of East Greenwich, with powers to constitute subordinate governments in America, and to make laws for such governments, not repugnant to the laws and statutes of England. From this corporation, your predecessors obtained a grant of the soil of the colony of Massachusetts-Bay, in 1627, and in 1628, they obtained a charter from king Charles the I. making them a distinct corporation, also within the realm, and giving them full powers within limits of their patent, very like to those of the council of Plymouth, throughout their more extensive territory.

We will now consider what must have been the sense of the king, of the nation, and of the patentees, at the time of granting these patents. From the year 1602, the banks and sea coasts of New England had been frequented by English subjects, for catching and drying cod-fish. When an exclusive right to the fishery was claimed, by virtue of the patent of 1620, the house of commons was alarmed, and a bill was brought in for allowing a free fishery; and it was upon this occasion, that one of the secretaries of state declared, perhaps as his own opinion, that the plantations were not annexed to the crown, and so were not within the jurisdiction of parliament. Sir Edwin Sandys, who was one of the Virginia company, and an eminent lawyer, declared, that he knew Virginia had been annexed, and was held of the crown, as of the manor of East Greenwich, and he believed New England was so also; and so it most certainly was. This declaration, made by one of the king's servants, you say, shewed the sense of the crown, and, being not secretly, but openly declared in parliament, you would make it the sense of the nation also, notwithstanding your own assertion, that the lords and commons passed a bill, that shewed their sense to be directly the contrary. But if there had been full evidence of express declarations made by king James the I. and king Charles the I. they were declarations contrary to their own grants, which declare this country to be held of the crown, and consequently, it must have been annexed to it. And may not such declarations be accounted for by other actions of those princes, who, when they

were soliciting the parliament to grant the duties of tonnage and poundage, with other aids, and were, in this way, acknowledging the rights of parliament, at the same time were requiring the payment of those duties, with ship money, &c. by virtue of their prerogative?

But to remove all doubts of the sense of the nation, and of the patentees of this patent, or charter, in 1620, I need only refer you to the account published by sir Ferdinando Gorges himself, of the proceedings in parliament upon this occasion. As he was the most active member of the council of Plymouth, and, as he relates what came within his own knowledge and observation, his narrative, which has all the appearance of truth and sincerity, must carry conviction with it. He says, that soon after the patent was passed, and whilst it lay in the crown office, he was summoned to appear in parliament, to answer what was to be objected against it; and the house being in a committee, and sir Edward Coke, that great oracle of the law, in the chair, he was called to the bar, and was told by sir Edward, that the house understood that a patent had been granted to the said Ferdinando, and divers other noble persons, for establishing a colony in New England, that this was deemed a grievance of the commonwealth, contrary to the laws, and to the privileges of the subject, that it was a monopoly, &c. and he required the delivery of the patent into the house. Sir Ferdinando Gorges made no doubt of the authority of the house, but submitted to their disposal of the patent, as, in their wisdom, they thought good; "not knowing, under favor, how any action of that kind could be a grievance to the public, seeing it was undertaken for the advancement of religion, the enlargement of the bounds of our nation, &c. He was willing, however, to submit the whole to the honorable censures." After divers attendances, he imagined he had satisfied the house, that the planting a colony was of much more consequence, than a simple disorderly course of fishing. He was, notwithstanding, disappointed; and, when the public grievances of the kingdom were presented by the two houses, that of the patent for New England was the first. I do not know how the parliament could have shewn more fully the sense they then had of their authority over this new acquired territory; nor can we expect better evidence of the sense which the patentees had of it, for I know of no historical fact, of which we have less reason to doubt.

And now, gentlemen, I will shew you how it appears from our charter itself, which you say I have

not yet been pleased to point out to you, except from that clause, which restrains us from making laws repugnant to the laws of England; that it was the sense of our predecessors, at the time when the charter was granted, that they were to remain subject to the supreme authority of parliament.

Besides this clause, which I shall have occasion further to remark upon before I finish, you will find that, by the charter, a grant was made of exemption from all taxes and impositions upon any goods imported into New England, or exported from thence into England, for the space of twenty-one years, except the custom of five per cent. upon such goods as, after the expiration of seven years, should be brought into England. Nothing can be more plain, than that the charter, as well as the patent to the council of Plymouth, constitutes a corporation in England, with powers to create a subordinate government or governments within the plantation, so that there would always be subjects of taxes and impositions both in the kingdom and in the plantation. An exemption for twenty-one years, implies a right of imposition after the expiration of the term, and there is no distinction between the kingdom and the plantation. By what authority then, in the understanding of the parties, were those impositions to be laid? If any, to support a system, should say by the king, rather than to acknowledge the authority of parliament, yet this could not be the sense of one of our principal patentees, Mr. Samuel Vassal, who, at that instant, 1628, the date of the charter, was suffering the loss of his goods, rather than submit to an imposition laid by the king, without the authority of parliament; and to prove that, a few years after, it could not be the sense of the rest, I need only to refer you to your own records for the year 1642, where you will find an order of the house of commons, conceived in such terms as discover a plain reference to this part of the charter, after fourteen years of the twenty-one were expired. By this order, the house of commons declare, that all goods and merchandise exported to New England, or imported from thence, shall be free from all taxes and impositions, both in the kingdom and New England, until the house shall take further order therein to the contrary. The sense which our predecessors had of the benefit which they took from this order, evidently appears from the vote of the general court, acknowledging their humble thankfulness, and preserving a grateful remembrance of the honorable respect from that high court, and resolving, that the

order sent unto them, under the hand of the clerk of the honorable house of commons, shall be entered among their public records, to remain there unto posterity. And, in an address to parliament, nine years after, they acknowledge, among other undeserved favors, that of taking off the customs from them.

I am at a loss to know what your ideas could be, when you say that, if the plantations are not part of the realm, they are not part of the kingdom, seeing the two words can properly convey but one idea, and they have one and the same signification in the different languages from whence they are derived. I do not charge you with any design; but the equivocal use of the word realm, in several parts of your answer, makes them perplexed and obscure. Sometimes you must intend the whole dominion, which is subject to the authority of parliament; sometimes only strictly the territorial realm to which other dominions are, or may be annexed. If you mean that no countries, but the ancient territorial realm, can, constitutionally, be subject to the supreme authority of England, which you have very incautiously said is a rule of the common law of England—this is a doctrine which you will never be able to support. That the common law should be controled and changed by statutes, every day's experience teaches; but that the common law prescribes limits to the extent of the legislative power, I believe has never been said upon any other occasion. That acts of parliaments, for several hundred years past, have respected countries, which are not strictly within the realm, you might easily have discovered by the statute books. You will find acts for regulating the affairs of Ireland, though a separate and distinct kingdom. Wales and Calais, whilst they sent no representatives to parliament, were subject to the like regulations; so are Guernsey, Jersey, Alderney, &c. which send no members to this day. These countries are not more properly a part of the ancient realm, than the plantations, nor do I know they can more properly be said to be annexed to the realm, unless the declaring that acts of parliament shall extend to Wales, though not particularly named, shall make it so, which I conceive it does not, in the sense you intend.

Thus, I think, I have made it appear that the plantations, though not strictly within the realm, have, from the beginning, been constitutionally subject to the supreme authority of the realm, and are so far annexed to it, as to be, with the realm and the other dependencies upon it, one



entire dominion; and that the plantation, or colony of Massachusetts-Bay in particular, is holden as feudatory of the imperial crown of England. Deem it to be no part of the realm, it is immaterial; for, to use the words of a very great authority in a case, in some respects analogous, "being feudatory, the conclusion necessarily follows, that it is under the government of the king's laws and the king's courts, in cases proper for them to interpose, though (like counties Palatine) it has peculiar laws and customs, *jura regalia*, and complete jurisdiction at home."

Your remark upon, and construction of the words, not repugnant to the laws of England, are much the same with those of the council; but, can any reason be assigned why the laws of England, as they stood just at that period, should be pitched upon as the standard, more than at any other period? If so, why was it not recurred to when the second charter was granted, more than sixty years after the first? It is not improbable, that the original intention might be a repugnancy in general, and a *fortiori*, such laws as were made more immediately to respect us, but the statute of 7th and 8th of king William and queen Mary, soon after the second charter, favors the latter construction only; and the province agent, Mr. Dummer, in his much applauded defence of the charter, says, that, then, a law in the plantations may be said to be repugnant to a law made in Great Britain, when it flatly contradicts it, so far as the law made there mentions and relates to the plantations. But, gentlemen, there is another clause, both in the first and second charter, which, I think, will serve to explain this, or to render all dispute upon the construction of it unnecessary. You are enabled to impose such oaths only, as are warrantable by, or not repugnant to the laws and statutes of the realm. I believe you will not contend, that these clauses must mean such oaths only, as were warrantable at the respective times when the charters were granted. It has often been found necessary, since the date of the charters, to alter the forms of oaths to the government by acts of parliament, and such alterations have always been conformed to in the plantations.

Lest you should think that I admit the authority of king Charles the II. in giving his assent to an act of the assembly of Virginia, which you subjoin to the authorities of James the I. and Charles the I. to have any weight, I must observe to you, that I do not see any greater inconsistency with Magna Charta, in the king's giving his assent to an act of

a subordinate legislature immediately, or in person, than when he does it mediately by his governor or substitute; but if it could be admitted, that such an assent discovered the king's judgment that Virginia was independent, would you lay any stress upon it, when the same king was, from time to time, giving his assent to acts of parliament, which inferred the dependence of all the colonies, and had, by one of those acts, declared the plantations to be inhabited and peopled by his majesty's subjects of England?

I gave you no reason to remark upon the absurdity of a grant, to persons not born within the realm, of the same liberties which would have belonged to them, if they had been born within the realm; but rather guarded against it, by considering such grant as declaratory only, and in the nature of an assurance, that the plantations would be considered as the dominions of England. But is there no absurdity in a grant from the king of England, of the liberties and immunities of Englishmen to persons born in, and who are to inhabit other territories than the dominions of England; and would such grant, whether by charter, or other letters patent, be sufficient to make them inheritable, or to entitle them to the other liberties and immunities of Englishmen, in any part of the English dominions?

As I am willing to rest the point between us, upon the plantations having been, from their first discovery and settlement under the crown, a part of the dominions of England, I shall not take up any time in remarking upon your arguments, to show that, since that time, they cannot have been made a part of those dominions.

The remaining parts of your answer, are principally intended to prove that, under both charters, it hath been the sense of the people, that they were not subject to the jurisdiction of parliament, and, for this purpose, you have made large extracts from the history of the colony. Whilst you are doing honor to the book, by laying any stress upon its authority, it would have been no more than justice to the author, if you had cited some other passages, which would have tended to reconcile the passage in my speech to the history. I have said that, except about the time of the anarchy, which preceded the restoration of king Charles the II. I have not discovered that the authority of parliament had been called in question, even by particular persons. It was, as I take it, from the principles imbibed in those times of anarchy, that the persons of influence, mentioned in the history,

disputed the authority of parliament, but the government would not venture to dispute it. On the contrary, in four or five years after the restoration, the government declared to the king's commissioners, that the act of navigation had been for some years observed here, that they knew not of its being greatly violated, and that such laws as appeared to be against it, were repealed. It is not strange, that these persons of influence should prevail upon a great part of the people to fall in, for a time, with their opinions, and to suppose acts of the colony necessary to give force to acts of parliament. The government, however, several years before the charter was vacated, more explicitly acknowledged the authority of parliament, and voted that their governor should take the oath required of him, faithfully to do, and perform all matters and things, enjoined him by the acts of trade. I have not recited in my speech, all these particulars, nor had I them all in my mind; but, I think, I have said nothing inconsistent with them. My principles in government, are still the same with what they appear to be in the book you refer to; nor am I conscious that, by any part of my conduct, I have given cause to suggest the contrary.

Inasmuch, as you say that I have not particularly pointed out to you the acts and doings of the general assembly, which relate to acts of parliament, I will do it now, and demonstrate to you that such acts have been acknowledged by the assembly, or submitted to by the people.

From your predecessors' removal to America, until the year 1640, there was no session of parliament; and the first short session, of a few days only, in 1640, and the whole of the next session, until the withdraw of the king, being taken up in the disputes between the king and the parliament, there could be no room for plantation affairs. Soon after the king's withdraw, the house of commons passed the memorable order of 1642; and, from that time to the restoration, this plantation seems to have been distinguished from the rest; and the several acts and ordinances, which respected the other plantations, were never enforced here; and, possibly, under color of the exemption, in 1642, it might not be intended they should be executed.

For fifteen or sixteen years after the restoration, there was no officer of the customs in the colony, except the governor, annually elected by the people, and the acts of trade were but little regarded; nor did the governor take the oath required of

governors, by the act of the 12th of king Charles the II. until the time which I have mentioned.— Upon the revolution, the force of an act of parliament was evident, in a case of as great importance as any which could happen to the colony. King William and queen Mary were proclaimed in the colony, king and queen of England, France, and Ireland, and the dominions thereunto belonging, in the room of king James; and this, not by virtue of an act of the colony, for no such act ever passed, but by force of an act of parliament, which altered the succession to the crown, and for which the people waited several weeks, with anxious concern. By force of another act of parliament, and that only, such officers of the colony as had taken the oaths of allegiance to king James, deemed themselves at liberty to take, and accordingly did take, the oaths to king William and queen Mary. And that I may mention other acts of the like nature together, it is by force of an act of parliament, that the illustrious house of Hanover succeeded to the throne of Britain and its dominions, and by several other acts, the forms of the oaths have, from time to time, been altered; and, by a late act, that form was established which every one of us has complied with, as the charter, in express words, requires, and makes our duty. Shall we now dispute whether acts of parliament have been submitted to, when we find them submitted to, in points which are of the very essence of our constitution? If you should disown that authority, which has power even to change the succession to the crown, are you in no danger of denying the authority of our most gracious sovereign, which I am sure none of you can have in your thoughts?

I think I have before shewn you, gentlemen, what must have been the sense of our predecessors at the time of the first charter; let us now, whilst we are upon the acts and doings of the assembly, consider what it must have been at the time of the second charter. Upon the first advice of the revolution in England, the authority which assumed the government, instructed their agents to petition parliament to restore the first charter, and a bill for that purpose passed the house of commons, but went no further. Was not this owning the authority of parliament? By an act of parliament, passed in the first year of king William and queen Mary, a form of oaths was established, to be taken by those princes, and by all succeeding kings and queens of England, at their coronation; the first of which is, that they will govern the people of the kingdom, and the dominions thereunto belonging, according to the statutes in parliament agreed

on, and the laws and customs of the same. When the colony directed their agents to make their humble application to king William, to grant the second charter, they could have no other pretence, than, as they were inhabitants of part of the dominions of England; and they also knew the oath the king had taken, to govern them according to the statutes in parliament. Surely, then, at the time of this charter, also, it was the sense of our predecessors, as well as of the king and of the nation, that there was, and would remain, a supremacy in the parliament. About the same time, they acknowledge, in an address to the king, that they have no power to make laws repugnant to the laws of England. And, immediately after the assumption of the powers of government, by virtue of the new charter, an act was passed to revive, for a limited time, all the local laws of the colonies of Massachusetts-Bay and New Plymouth, respectively, not repugnant to the laws of England. And, at the same session, an act passed, establishing naval officers, in several ports of the province, for which, this reason is given; that all undue trading, contrary to an act of parliament, made in the 15th year of king Charles the II. may be prevented in this, their majesty's province.—The act of this province, passed so long ago as the second year of king George the I. for stating the fees of the custom house officers, must have relation to the acts of parliament, by which they are constituted; and the provision made in that act of the province, for extending the port of Boston to all the roads, as far as Cape Cod, could be for no other purpose, than for the more effectual carrying the acts of trade into execution. And, to come nearer to the present time, when an act of parliament had passed, in 1771, for putting an end to certain unwarrantable schemes, in this province, did the authority of government, or those persons more immediately affected by it, ever dispute the validity of it? On the contrary, have not a number of acts been passed in the province, the burdens to which such persons were subjected, might be equally apportioned; and have not all those acts of the province been very carefully framed, to prevent their militating with the act of parliament? I will mention, also, an act of parliament, made in the first year of queen Anne, although the proceedings upon it more immediately respected the council. By this act, no office, civil or military, shall be void, by the death of the king, but shall continue six months, unless suspended, or made void, by the next successor. By force of this act, governor Dudley continued

in the administration six months from the demise of queen Anne, and immediately after, the council assumed the administration, and continued it until a proclamation arrived from king George, by virtue of which governor Dudley reassumed the government. It would be tedious to enumerate the addresses, votes and messages, of both the council and house of representatives, to the same purpose. I have said enough to shew that this government has submitted to parliament, from a conviction of its constitutional supremacy, and this not from inconsideration, nor merely from reluctance at the idea of contending with the parent state.

If, then, I have made it appear that, both by the first and second charters, we hold our lands, and the authority of government, not of the king, but of the crown of England, that being a dominion of the crown of England, we are consequently subject to the supreme authority of England. That this hath been the sense of this plantation, except in those few years when the principles of anarchy, which had prevailed in the kingdom, had not lost their influence here; and if, upon a review of your principles, they shall appear to you to have been delusive and erroneous, as I think they must, or, if you shall only be in doubt of them, you certainly will not draw that conclusion, which otherwise you might do, and which I am glad you have hitherto avoided; especially when you consider the obvious and inevitable distress and misery of independence upon our mother country, if such independence could be allowed or maintained, and the probability of much greater distress, which we are not able to foresee.

You ask me, if we have not reason to fear we shall soon be reduced to a worse situation than that of the colonies of France, Spain, or Holland. I may safely affirm that we have not; that we have no reason to fear any evils from a submission to the authority of parliament, equal to what we must feel from its authority being disputed, from an uncertain rule of law and government. For more than seventy years together, the supremacy of parliament was acknowledged, without complaints of grievance. The effect of every measure cannot be foreseen by human wisdom. What can be expected more, from any authority, than, when the unfitness of a measure is discovered, to make it void? When, upon the united representations and complaints of the American colonies, any acts have appeared to parliament to be unsalutary, have there not been repeated instances of the repeal of such acts? We cannot expect these in-

stances should be carried so far as to be equivalent to a disavowal, or relinquishment of the right itself. Why, then, shall we fear for ourselves, and our posterity, greater rigor of government for seventy years to come, than what we and our predecessors have felt, in the seventy years past.

You must give me leave, gentlemen, in a few words, to vindicate myself from a charge, in one part of your answer, of having, by my speech, reduced you to the unhappy alternative of appearing, by your silence, to acquiesce in my sentiments, or of freely discussing this point of the supremacy of parliament. I saw, as I have before observed, the capital town of the province, without being reduced to such an alternative, voluntarily, not only discussing but determining this point, and inviting every other town and district in the province to do the like. I saw that many of the principal towns had followed the example, and that there was imminent danger of a compliance in most, if not all the rest, in order to avoid being distinguished. Was not I reduced to the alternative of rendering myself justly obnoxious to the displeasure of my sovereign, by acquiescing in such irregularities, or of calling upon you to join with me in suppressing them? Might I not rather have expected from you an expression of your concern, that any persons should project and prosecute a plan of measures, which would lay me under the necessity of bringing this point before you? It was so far from being my inclination, that nothing short of a sense of my duty to the king, and the obligations I am under to consult your true interest, could have compelled me to it.

*Gentlemen of the council, and*

*Gentlemen of the house of representatives,*

We all profess to be the loyal and dutiful subjects of the king of Great Britain. His majesty considers the British empire as one entire dominion, subject to one supreme legislative power; a due submission to which, is essential to the maintenance of the rights, liberties and privileges of the several parts of this dominion. We have abundant evidence of his majesty's tender and impartial regard to the rights of his subjects; and I am authorised to say, that "his majesty will most graciously approve of every constitutional measure that may contribute to the peace, the happiness, and prosperity of his colony of Massachusetts-Bay, and which may have the effect to shew to the world, that he has no wish beyond that of reigning in the hearts and affections of his people."

T. HUTCHINSON.

ANSWER OF THE HOUSE OF REPRESENTATIVES TO THE SPEECH OF THE GOVERNOR, OF FEBRUARY SIXTEENTH.

March 2, 1773.

*May it please your excellency,*

In your speech, at the opening of the present session, your excellency expressed your displeasure at some late proceedings of the town of Boston, and other principal towns in the province. And, in another speech to both houses, we have your repeated exceptions at the same proceedings, as being "unwarrantable," and of a dangerous nature and tendency; "against which, you thought yourself bound to call upon us to join with you in bearing a proper testimony." This house have not discovered any principles advanced by the town of Boston, that are unwarrantable by the constitution; nor does it appear to us, that they have "invited every other town and district in the province to adopt their principles." We are fully convinced, that it is our duty to bear our testimony against "innovations, of a dangerous nature and tendency;" but it is clearly our opinion, that it is the indisputable right of all, or any of his majesty's subjects, in this province, regularly and orderly to meet together, to state the grievances they labor under; and to propose, and unite in such constitutional measures, as they shall judge necessary or proper, to obtain redress. This right has been frequently exercised by his majesty's subjects within the realm; and we do not recollect an instance, since the happy revolution, when the two houses of parliament have been called upon to discountenance, or bear their testimony against it, in a speech from the throne.

Your excellency is pleased to take notice of some things which we "allege," in our answer to your first speech; and the observation you make, we must confess, is as natural and undeniably true, as any one that could have been made; that, "if our foundation shall fail us in every part of it, the fabric we have raised upon it must certainly fall." You think this foundation will fail us; but we wish your excellency had condescended to a consideration of what we have "adduced in support of our principles." We might then, perhaps, have had some things offered for our conviction, more than bare affirmations; which, we must beg to be excused if we say, are far from being sufficient, though they came with your excellency's authority, for which, however, we have a due regard.

Your excellency says that, "as English subjects, and agreeable to the doctrine of the feudal tenure, all our lands are held mediately, or immediately,

of the crown." We trust your excellency does not mean to introduce the feudal system in its perfection; which, to use the words of one of our greatest historians, was "a state of perpetual war, anarchy, and confusion, calculated solely for defence against the assaults of any foreign power; but, in its provision for the interior order and tranquility of society, extremely defective. A constitution, so contradictory to all the principles that govern mankind, could never be brought about, but by foreign conquest or native usurpation."—And a very celebrated writer calls it, "that most iniquitous and absurd form of government, by which human nature was so shamefully degraded." This system of iniquity, by a strange kind of fatality, "though originally formed for an encampment, and for military purposes only, spread over a great part of Europe;" and, to serve the purposes of oppression and tyranny, "was adopted by princes, and wrought into their civil constitutions;" and, aided by the canon law, calculated by the Roman Pontiff to exalt himself above all that is called God, it prevailed to the almost utter extinction of knowledge, virtue, religion and liberty from that part of the earth. But, from the time of the reformation, in proportion as knowledge, which then darted its rays upon the benighted world, increased and spread among the people, they grew impatient under this heavy yoke; and the most virtuous and sensible among them, to whose steadfastness we, in this distant age and climate, are greatly indebted, were determined to get rid of it; and, though they have in a great measure subdued its power and influence in England, they have never yet totally eradicated its principles.

Upon these principles, the king claimed an absolute right to, and a perfect estate in, all the lands within his dominions; but how he came by this absolute right and perfect estate, is a mystery which we have never seen unravelled, nor is it our business or design, at present, to enquire. He granted parts or parcels of it to his friends, the great men, and they granted lesser parcels to their tenants. All, therefore, derived their right and held their lands, upon these principles, mediately or immediately of the king; which Mr. Blackstone, however, calls, "in reality, a mere fiction of our English tenures."

By what right, in nature and reason, the christian princes in Europe, claimed the lands of heathen people, upon a discovery made by any of their subjects, is equally mysterious. Such, however, was the doctrine universally prevailing, when the

lands in America were discovered; but, as the people of England, upon those principles, held all the lands they possessed, by grants from the king, and the king had never granted the lands in America to them, it is certain they could have no sort of claim to them. Upon the principles advanced, the lordship and dominion, like that of the lands in England, was in the king solely, and a right from thence accrued to him, of disposing such territories, under such tenure, and for such services to be performed, as the king or lord thought proper. But how the grantees became subjects of England, that is, the supreme authority of the parliament, your excellency has not explained to us. We conceive that, upon the feudal principles, all power is in the king; they afford us no idea of parliament. "The lord was in early times, the legislator and judge over all his feudatories," says judge Blackstone. By the struggle for liberty in England, from the days of king John, to the last happy revolution, the constitution has been gradually changing for the better; and, upon the more rational principles that all men, by nature, are in a state of equality in respect of jurisdiction and dominion, power in England has been more equally divided. And thus, also, in America, though we hold our lands agreeably to the feudal principles of the king, yet our predecessors wisely took care to enter into compact with the king, that power here should also be equally divided, agreeably to the original fundamental principles of the English constitution, declared in Magna Charta, and other laws and statutes of England, made to confirm them.

Your excellency says, "you can by no means concede to us that it is now, or was, when the plantations were first granted, the prerogative of the kings of England, to constitute a number of new governments, altogether independent of the sovereign authority of the English empire." By the feudal principles, upon which you say "all the grants which have been made of America are founded, the constitutions of the emperor have the force of law." If our government be considered as merely feudatory, we are subject to the king's absolute will, and there is no authority of parliament, as the sovereign authority of the British empire. Upon these principles, what could hinder the king's constituting a number of independent governments in America? That king Charles the I. did actually set up a government in this colony, conceding to it powers of making and executing laws, without any reservation to the English parliament, of authority to make future laws binding therein, is a fact which your excellency has not

disproved, if you have denied it. Nor have you shewn that the parliament or nation objected to it, from whence we have inferred that it was an acknowledged right. And we cannot conceive, why the king has not the same right to alienate and dispose of countries acquired by the discovery of his subjects, as he has to "restore, upon a treaty of peace, countries which have been acquired in war," carried on at the charge of the nation; or to "sell and deliver up any part of his dominions to a foreign prince or state, against the general sense of the nation;" which is "an act of power," or prerogative, which your excellency allows. You tell us, that "when any new countries are discovered by English subjects, according to the general law and usage of nations, they become part of the state." The law of nations is, or ought to be, founded on the law of reason. It was the saying of sir Edwin Sandis, in the great case of the union of the realm of Scotland with England, which is applicable to our present purpose, that "there being no precedent for this case in the law, the law is deficient; and the law being deficient, recourse is to be had to custom; and custom being insufficient, we must recur to natural reason"—the greatest of all authorities, which, he adds, "is the law of nations." The opinions, therefore, and determinations of the greatest sages and judges of the law in the exchequer chamber, ought not to be considered as decisive or binding in our present controversy with your excellency, any further than they are consonant to natural reason. If, however, we were to recur to such opinions and determinations, we should find very great authorities in our favor, to show that the statutes of England are not binding on those who are not represented in parliament there. The opinion of lord Coke, that Ireland was bound by statutes of England, wherein they were named, if compared with his other writings, appears manifestly to be grounded upon a supposition, that Ireland had, by an act of their own, in the reign of king John, consented to be thus bound; and, upon any other supposition, this opinion would be against reason; for consent only gives human laws their force. We beg leave, upon what your excellency has observed of the colony becoming a part of the state, to subjoin the opinions of several learned civilians, as quoted by a very able lawyer in this country. "Colonies," says Puffendorf, "are settled in different methods; for, either the colony continues a part of the commonwealth it was set out from, or else is obliged to pay a dutiful regard to the mother commonwealth, and to be in readiness to defend and

vindicate its honor, and so is united by a sort of unequal confederacy; or, lastly, is erected into a separate commonwealth, and assumes the same rights with the state it descended from." And king Tullius, as quoted by the same learned author from Grotius, says, "we look upon it to be neither truth nor justice, that mother cities ought, of necessity, and by the law of nature, to rule over the colonies."

Your excellency has misinterpreted what we have said, "that no country, by the common law, was subject to the laws or the parliament, but the realm of England;" and are pleased to tell us, "that we have expressed ourselves incautiously." We beg leave to recite the words of the judges of England, in the beforementioned case, to our purpose. "If a king go out of England with a company of his servants, allegiance remaineth among his subjects and servants, although he be out of his realm, whereto his laws are confined." We did not mean to say, as your excellency would suppose, that "the common law prescribes limits to the extent of the legislative power," though we shall always affirm it to be true, of the law of reason and natural equity. Your excellency thinks you have made it appear, that the "colony of Massachusetts-Bay is holden as feudatory of the imperial crown of England;" and, therefore, you say, "to use the words of a very great authority in a case, in some respects analogous to it," being feudatory, it necessarily follows that "it is under the government of the king's laws." Your excellency has not named this authority; but we conceive his meaning must be, that, being feudatory, it is under the government of the king's laws absolutely; for, as we have before said, the feudal system admits of no idea of the authority of parliament; and this would have been the case of the colony, but for the compact with the king in the charter.

Your excellency says, that "persons thus holding under the crown of England, remain or become subjects of England," by which, we suppose your excellency to mean, subject to the supreme authority of parliament, "to all intents and purposes, as fully as if any of the royal manors, &c. within the realm, had been granted to them upon the like tenure." We apprehend, with submission, your excellency is mistaken in supposing that our allegiance is due to the crown of England. Every man swears allegiance for himself, to his own king, in his natural person. "Every subject is presumed by law to be sworn to the king, which is to his

natural person," says lord Coke—Rep. on Calvin's case. "The allegiance is due to his natural body;" and, he says, "in the reign of Edward II. the Spencers, the father and the son, to cover the treason hatched in their hearts, invented this damnable and damned opinion, that homage and oath of allegiance was more by reason of the king's crown, that is, of his politic capacity, than by reason of the person of the king; upon which opinion they inferred execrable and detestable consequences." The judges of England, all but one, in the case of the union between Scotland and England, declared that "allegiance followeth the natural person, not the politic," and, "to prove the allegiance to be tied to the body natural of the king, and not to the body politic, the lord Coke cited the phrases of divers statutes, mentioning our natural liege sovereign." If, then, the homage and allegiance is not to the body politic of the king, then it is not to him as the head, or any part of that legislative authority, which your excellency says "is equally extensive with the authority of the crown throughout every part of the dominion;" and your excellency's observations thereupon must fail. The same judges mention the allegiance of a subject to the kings of England, who is out of the reach and extent of the laws of England, which is perfectly reconcileable with the principles of our ancestors, quoted before from your excellency's history, but, upon your excellency's principles, appears to us to be absurdity. The judges, speaking of a subject, say, "although his birth was out of the bounds of the kingdom of England, and out of the reach and extent of the laws of England, yet, if it were within the allegiance of the king of England, &c. Normandy, Aquitain, Gascoign, and other places, within the limits of France, and, consequently, out of the realm or bounds of the kingdom of England, were in subjection to the kings of England." And the judges say, "*Ille et Regnum*, be not so relatives, as a king can be king but of one kingdom, which clearly holdeth not, but that his kingly power extending to divers nations and kingdoms, all owe him equal subjection, and are equally born to the benefit of his protection; and although he is to govern them by their distinct laws, yet any one of the people coming into the other, is to have the benefit of the laws, wheresoever he cometh." So they are not to be deemed aliens, as your excellency in your speech supposes, in any of the dominions, all which accords with the principles our ancestors held. "And he is to bear the burden of taxes of the place where he cometh, but living in one, or for his livelihood in one, he

is not to be taxed in the other, because laws ordain taxes, impositions, and charges, as a discipline of subjection, particularized to every particular nation." Nothing, we think, can be more clear to our purpose than this decision of judges, perhaps as learned as ever adorned the English nation, or in favor of America, in her present controversy with the mother state.

Your excellency says that, by "our not distinguishing between the crown of England and the kings and queens of England, in their personal or natural capacities, we have been led into a fundamental error." Upon this very distinction we have availed ourselves. We have said, that our ancestors considered the land, which they took possession of in America, as out of the bounds of the kingdom of England, and out of the reach and extent of the laws of England; and that the king also, even in the act of granting the charter, considered the territory as not within the realm; that the king had an absolute right in himself to dispose of the lands, and that this was not disputed by the nation; nor could the lands, on any solid grounds, be claimed by the nation; and, therefore, our ancestors received the lands, by grant, from the king; and, at the same time, compacted with him, and promised him homage and allegiance, not in his public or politic, but natural capacity only. If it be difficult for us to show how the king acquired a title to this country in his natural capacity, or separate from his relation to his subjects, which we confess, yet we conceive it will be equally difficult for your excellency to show how the body politic and nation of England acquired it. Our ancestors supposed it was acquired by neither: and, therefore, they declared, as we have before quoted from your history, that, saving their actual purchase from the natives of the soil, the dominion, the lordship, and sovereignty, they had, in the sight of God and man, no right and title to what they possessed. How much clearer then, in natural reason and equity, must our title be, who hold estates dearly purchased at the expense of our own, as well as our ancestors labor, and defended by them with treasure and blood.

Your excellency has been pleased to confirm, rather than deny or confute, a piece of history, which, you say, we took from an anonymous pamphlet, and by which you "fear we have been too easily misled." It may be gathered from your own declaration, and other authorities, besides the anonymous pamphlet, that the house of commons took exception, not at the king's having made an

absolute grant of the territory, but at the claim of an exclusive right to the fishery on the banks and sea coast, by virtue of the patent. At this you say "the house of commons was alarmed, and a bill was brought in for allowing a free fishery." And, upon this occasion, your excellency allows that "one of the secretaries of state declared, that the plantations were not annexed to the crown, and so were not within the jurisdiction of parliament." If we should concede to what your excellency supposes might possibly, or, "perhaps," be the case, that the secretary made this declaration "as his own opinion," the event showed that it was the opinion of the king too; for it is not to be accounted for upon any other principle, that he would have denied his royal assent to a bill, formed for no other purpose, but to grant his subjects in England the privilege of fishing on the sea coasts in America. The account published by sir Ferdinando Gorges himself, of the proceedings of parliament on this occasion, your excellency thinks will remove all doubt of the sense of the nation, and of the patentees of this patent or charter, in 1620. "This narrative," you say, "has all the appearance of truth and sincerity," which we do not deny; and, to us, it carries this conviction with it, that "what was objected" in parliament, was the exclusive claim of fishing only. His imagining that he had satisfied the house, after divers attendances, that the planting a colony was of much more consequence than a simple disorderly course of fishing, is sufficient for our conviction. We know that the nation was at that time alarmed with apprehensions of monopolies; and, if the patent of New England was presented by the two houses as a grievance, it did not show, as your excellency supposes, "the sense they then had of their authority over this new acquired territory," but only their sense of the grievance of a monopoly of the sea.

We are happy to hear your excellency say, that "our remarks upon, and construction of the words, not repugnant to the laws of England, are much the same with those of the council." It serves to confirm us in our opinion, in what we take to be the most important matter of difference between your excellency and the two houses: After saying, that the statute of 7th and 8th of William and Mary favors the construction of the words, as attending such laws of England as are made more immediately to respect us, you tell us, that "the province agent, Mr. Dummer, in his much applauded defence, says that then a law of the plantations

may be said to be repugnant to a law made in Great Britain, when it flatly contradicts it, so far as the law made there mentions and relates to the plantations." This is plain and obvious to common sense, and, therefore, cannot be denied. But, if your excellency would read a page or two further, in that excellent defence, you will see that he mentions this as the sense of the phrase, as taken from an act of parliament, rather than as the sense he would choose himself to put upon it; and he expressly designs to show, in vindication of the charter, that, in that sense of the words, there never was a law made in the plantations repugnant to the laws of Great Britain. He gives another construction, much more likely to be the true intent of the words, namely, "that the patentees shall not presume, under color of their particular charters, to make any laws inconsistent with the great charter, and other laws of England, by which the lives, liberties, and properties of Englishmen are secured." This is the sense in which our ancestors understood the words; and, therefore, they are unwilling to conform to the acts of trade, and disregarded them till they made provision to give them force in the colony, by a law of their own; saying, that "the laws of England did not reach America; and those acts were an invasion of their rights, liberties, and properties," because they were not "represented in parliament." The right of being governed by laws, which were made by persons in whose election they had a voice, they looked upon as the foundation of English liberties. By the compact with the king, in the charter, they were to be as free in America as they would have been if they had remained within the realm; and, therefore, they freely asserted that they "were to be governed by laws made by themselves, and by officers chosen by themselves." Mr. Dummer says, "it seems reasonable enough to think that the crown," and, he might have added, our ancestors, "intended by this injunction to provide for all its subjects, that they might not be oppressed by arbitrary power; but, being still subjects, they should be protected by the same mild laws, and enjoy the same happy government, as if they continued within the realm." And, considering the words of the charter in this light, he looks upon them as designed to be a fence against oppression and despotic power. But the construction which your excellency puts upon the words, reduces us to a state of vassalage, and exposes us to oppression and despotic power, whenever a parliament shall see fit to make laws for that purpose, and put them in execution.



We flatter ourselves that, from the large extracts we have made from your excellency's history of the colony, it appears evidently that, under both charters, it hath been the sense of the people and of the government, that they were not under the jurisdiction of parliament. We pray you again to turn to those quotations, and our observations upon them; and we wish to have your excellency's judicious remarks. When we adduced that history, to prove that the sentiments of private persons of influence, four or five years after the restoration, were very different from what your excellency apprehended them to be, when you delivered your speech, you seem to concede to it, by telling us, "it was, as you take it, from the principles imbibed in those times of anarchy, (preceding the restoration,) that they disputed the authority of parliament;" but, you add, "the government would not venture to dispute it." We find, in the same history, a quotation from a letter of Mr. Stoughton, dated seventeen years after the restoration, mentioning "the country's not taking notice of the acts of navigation, to observe them." And it was, as we take it, after that time that the government declared, in a letter to their agents, that they had not submitted to them; and they ventured to "dispute" the jurisdiction, asserting that they apprehended the acts to be an invasion of the rights, liberties, and properties of the subjects of his majesty in the colony, they not being represented in parliament, and that "the laws of England did not reach America." It very little avails in proof, that they conceded to the supreme authority of parliament, their telling the commissioners, "that the act of navigation had for some years before been observed here; that they knew not of its being greatly violated; and that such laws as appeared to be against it, were repealed." It may as truly be said now, that the revenue acts are observed by some of the people of this province; but it cannot be said that the government and people of this province have conceded that the parliament had authority to make such acts to be observed here. Neither does their declaration to the commissioners, that such laws as appeared to be against the act of navigation, were repealed, prove their concession of the authority of parliament, by any means, so much as their making provision for giving force to an act of parliament within this province, by a deliberate and solemn act or law of their own, proves the contrary.

You tell us, that "the government, four or five years before the charter was vacated, more ex-

PLICITLY," that is, than by a conversation with the commissioners, "acknowledged the authority of parliament, and voted that their governor should take the oath required of him, faithfully to do and perform all matters and things enjoined him by the acts of trade." But does this, may it please your excellency, show their explicit acknowledgment of the authority of parliament? Does it not rather show directly the contrary? For, what could there be for their vote, or authority, to require him to take the oath already required of him by the act of parliament, unless both he and they, judged that an act of parliament was not of force sufficient to bind him to take such oath?—We do not deny, but, on the contrary, are fully persuaded, that your excellency's principles in governments are still of the same with what they appear to be in the history; for you there say, that "the passing this law, plainly shows the wrong sense they had of the relation they stood unto England." But we are from hence convinced, that your excellency, when you wrote the history, was of our mind in this respect, that our ancestors, in passing the law, discovered their opinion, that they were without the jurisdiction of parliament; for it was upon this principle alone, they shewed the wrong sense they had, in your excellency's opinion, of the relation they stood unto England.

Your excellency, in your second speech, condescends to point out to us the acts and doings of the general assembly, which relates to acts of parliament, which, you think, "demonstrates that they have been acknowledged by the assembly, or submitted to by the people," neither of which, in our opinion, shows that it was the sense of the nation, and our predecessors, when they first took possession of this plantation, or colony, by a grant and charter from the crown, that they were to remain subject to the supreme authority of the English parliament.

Your excellency seems chiefly to rely upon our ancestors, after the revolution, "proclaiming king William and queen Mary, in the room of king James," and taking the oaths to them, "the alteration of the form of oaths, from time to time," and finally, "the establishment of the form, which every one of us has complied with, as the charter, in express terms, requires and makes our duty." We do not know that it has ever been a point in dispute, whether the kings of England were *ipso facto* kings in, and over, this colony, or province. The compact was made between king Charles the I. his heirs and successors, and the governor

and company, their heirs and successors. It is easy, upon this principle, to account for the acknowledgment of, and submission to, king William and queen Mary, as successors of Charles the I. in the room of king James; besides, it is to be considered, that the people in the colony, as well as in England, had suffered under the tyrant James, by which he had alike forfeited his right to reign over both. There had been a revolution here, as well as in England. The eyes of the people here were upon William and Mary; and the news of their being proclaimed in England was, as your excellency's history tells us, "the most joyful news ever received in New England." And, if they were not proclaimed here, "by virtue of an act of the colony," it was, as we think may be concluded from the tenor of your history, with the general or universal consent of the people, as apparently as if "such act had passed." It is consent alone that makes any human laws binding; and, as a learned author observes, a purely voluntary submission to an act, because it is highly in our favor and for our benefit, is in all equity and justice, to be deemed as not at all proceeding from the right we include in the legislators, that they thereby obtain an authority over us, and that ever hereafter, we must obey them of duty. We would observe, that one of the first acts of the general assembly of this province, since the present charter, was an act requiring the taking the oaths mentioned in an act of parliament, to which you refer us. For what purpose was this act of the assembly passed, if it was the sense of the legislators that the act of parliament was in force in the province? And, at the same time, another act was made for the establishment of other oaths necessary to be taken, both which acts have the royal sanction, and are now in force. Your excellency says, that when the colony applied to king William for a second charter, they knew the oath the king had taken, which was to govern them according to the statutes in parliament, and (which your excellency here omits,) the laws and customs of the same. By the laws and customs of parliament, the people of England freely debate and consent to such statutes as are made by themselves, or their chosen representatives. This is a law, or custom, which all mankind may justly challenge as their inherent right. According to this law, the king has an undoubted right to govern us. Your excellency, upon recollection, surely will not infer from hence, that it was the sense of our predecessors that there was to remain a supremacy in the English parliament, or a full power and authority to make laws binding

upon us, in all cases whatever, in that parliament, where we cannot debate and deliberate upon the necessity or expediency of any law, and, consequently, without our consent; and, as it may probably happen, destructive of the first law of society, the good of the whole. You tell us that, "after the assumption of all the powers of government, by virtue of the new charter, an act passed for the reviving, for a limited time, all the local laws of the Massachusetts Bay and New Plymouth, respectively, not repugnant to the laws of England. And, at the same session, an act passed establishing naval officers, that all undue trading, contrary to an act of parliament, may be prevented." Among the acts that were then revived, we may reasonably suppose was that, whereby provision was made to give force to this act of parliament in the province. The establishment, therefore, of the naval officers, was to aid the execution of an act of parliament, for the observance of which, within the colony, the assembly had before made provision, after free debates, with their own consent, and by their own act.

The act of parliament, passed in 1741, for putting an end to several unwarrantable schemes, mentioned by your excellency, was designed for the general good; and, if the validity of it was not disputed, it cannot be urged as a concession of the supreme authority, to make laws binding on us in all cases whatever. But, if the design of it was for the general benefit of the province, it was, in one respect, at least greatly complained of by the persons more immediately affected by it; and to remedy the inconvenience, the legislature of this province passed an act, directly militating with it; which is the strongest evidence that, although they may have submitted, *sub silentio*, to some acts of parliament, that they conceived might operate for their benefit, they did not conceive themselves bound by any of its acts which, they judged, would operate to the injury even of individuals.

Your excellency has not thought proper to attempt to confute the reasoning of a learned writer on the laws of nature and nations, quoted by us, on this occasion, to shew that the authority of the legislature does not extend so far as the fundamentals of the constitution. We are unhappy in not having your remarks upon the reasoning of that great man; and, until it is confuted, we shall remain of the opinion, that the fundamentals of the constitution being excepted from the commission of the legislators, none of the acts or doings of the general assembly, however deliberate and solemn,

could avail to change them, if the people have not, in very express terms, given them the power to do it; and that, much less ought their acts and doings, however numerous, which barely refer to acts of parliament made expressly to relate to us, to be taken as an acknowledgment that we are subject to the supreme authority of parliament.

We shall sum up our own sentiments in the words of that learned writer, Mr. Hooker, in his ecclesiastical policy, as quoted by Mr. Locke.—“The lawful power of making laws to command whole political societies of men, belonging so properly to the same entire societies, that for any prince or potentate of what kind soever, to exercise the same of himself, and not from express commission, immediately and personally received from God, is no better than mere tyranny. Laws, therefore, they are not, which public approbation hath not made so; for laws human, of what kind soever, are available by consent.” “Since men, naturally, have no full and perfect power to command whole politic multitudes of men, therefore, utterly without our consent, we could in such sort, be at no man’s commandment living. And to be commanded, we do not consent, when that society, whereof we be a party, hath at any time before consented.” We think your excellency has not proved, either that the colony is a part of the politic society of England, or that it has ever consented that the parliament of England or Great Britain, should make laws binding upon us, in all cases, whether made expressly to refer to us or not.

We cannot help, before we conclude, expressing our great concern, that your excellency has thus repeatedly, in a manner, insisted upon our free sentiments on matters of so delicate a nature and weighty importance. The question appears to us to be no other, than whether we are the subjects of absolute unlimited power, or of a free government, formed on the principles of the English constitution. If your excellency’s doctrine be true, the people of this province hold their lands of the crown and people of England; and their lives, liberties, and properties, are at their disposal; and that, even by compact and their own consent, they were subject to the king, as the head *alterius populi* of another people, in whose legislature they have no voice or interest. They are, indeed, said to have a constitution and a legislature of their own; but your excellency has explained it into a mere phantom; limited, controled, superseded, and nullified at the will of another. Is this the constitution which so charmed our ancestors, that, as your ex-

cellency has informed us, they kept a day of solemn thanksgiving to Almighty God when they received it? And were they men of so little discernment, such children in understanding, as to please themselves with the imagination, that they were blessed with the same rights and liberties which natural born subjects in England enjoyed, when, at the same time, they had fully consented to be ruled and ordered by a legislature, a thousand leagues distant from them, which cannot be supposed to be sufficiently acquainted with their circumstances, if concerned for their interest, and in which they cannot be in any sense represented?

[The committee who reported the above, were Mr. Cushing, (the speaker,) Mr. S. Adams, Mr. Hancock, Mr. Phillips, major Foster, col. Bowers, Mr. Hobson, col. Thayer, and Mr. Denny.]

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MASSACHUSETTS RESOLUTIONS.—*On motion of Mr. S. Adams, the following resolutions were adopted, 110 to 4, May 28, 1773.*

Whereas, the speaker hath communicated to this house, a letter from the truly respectable house of Burgesses, in his majesty’s ancient colony of Virginia, enclosing a copy of the resolves entered into by them, on the 12th of March last, and requesting that a committee of this house may be appointed to communicate, from time to time, with a corresponding committee, then appointed by the said house of Burgesses in Virginia:

And, whereas this house is fully sensible of the necessity and importance of a union of the several colonies in America, at a time when it clearly appears, that the rights and liberties of all are systematically invaded; in order that the joint wisdom of the whole may be employed in consulting their common safety:

*Resolved*, That this house have a very grateful sense of the obligations they are under to the house of Burgesses, in Virginia, for the vigilance, firmness and wisdom, which they have discovered, at all times, in support of the rights and liberties of the American colonies; and do heartily concur with them in their said judicious and spirited resolves.

*Resolved*, That a standing committee of correspondence and enquiry be appointed, to consist of fifteen members, any eight of whom to be a quorum; whose business it shall be, to obtain the most early and authentic intelligence of all such acts and resolutions of the British parliament, or proceedings of administrations as may relate to, or affect the British colonies in America, and to keep up

and maintain, a correspondence and communication with our sister colonies, respecting these important considerations; and the result of such their proceedings, from time to time, to lay before the house.

*Resolved*, That it be an instruction to the said committee, that they do, without delay, inform themselves particularly of the principles and authority, on which was constituted a court of enquiry, held in Rhode Island, said to be vested with powers to transport persons, accused of offences committed in America, to places beyond the seas to be tried.\*

*Resolved*, That the said committee be further instructed to prepare and report to this house, a draft of a very respectful answer to the letter, received from the speaker of the honorable house of Burgesses of Virginia, and another, to a letter received from the speaker of the honorable house of representatives, of the colony of Rhode Island; also, a circular letter to the speakers of the several other houses of assembly, on this continent, enclosing the aforesaid resolves, and requesting them to lay the same before their respective assemblies, in confidence, that they will readily and cheerfully comply with the wise and salutary resolves of the house of Burgesses, in Virginia.

[The committee of correspondence, chosen in pursuance of the resolves aforesaid, were Mr. Cushing, (the speaker,) Mr. S. Adams, hon. John Hancock, Mr. William Phillips, captain William Heath, hon. Joseph Hawley, James Warren, esq. R. Derby, jun. esq. Mr. Elbridge Gerry, J. Bowers, esq. Jedediah Foster, esq. Daniel Leonard, esq. captain T. Gardner, capt. Jonathan Greenleaf, and J. Prescott, esq.]

*Letter from the house of representatives, addressed to the speakers of the several houses of assembly, on the continent.*

Boston, June 3, 1773.

SIR—The house of representatives, of this province, being earnestly attentive to the controversy between Great Britain and the colonies, and considering that the authority claimed and exercised

by parliament, on the one side, and by the general assemblies of this continent, on the other, greatly militates, and is productive of this unhappy contention, think it of the utmost importance to the welfare of both, and particularly of the colonies, that the constitutional powers and rights of each, be enquired into, delineated and fully ascertained.

That his majesty's subjects of America, are entitled to the same rights and liberties as those of Great Britain, and that these ought, in justice, by the constitution, to be as well guaranteed and secured, to the one, as to the other, are too apparent to be denied.

It is, by this house, humbly conceived, to\* be likewise undeniable, that the authority assumed, and now forcibly exercised by parliament, over the colonies, is utterly subversive of freedom in the latter; and that, while his majesty's loyal subjects in America have the mortification, daily, to see new abridgements of their rights and liberties, they have not the least security for those which at present remain. Were the colonists only affected by a legislature, subject to their control, they would, even then, have no other security than belongs to them by the laws of nature, and the English constitution; but should the authority, now claimed by parliament, be fully supported by power, or submitted to by the colonies, it appears to this house that there will be an end to liberty in America; and that the colonists will then change the name of freemen for that of slaves.

In order to adjust and settle these important concerns, the free and magnanimous Burgesses of Virginia have proposed a method for uniting the councils of its sister colonies; and it appearing to this house to be a measure very wise and salutary, is cheerfully received and heartily adopted.

With great respect for your honorable assembly, and in confidence, that a matter, which so nearly affects the safety of each colony, will be assisted by its wise councils, permit this house to enclose a copy of resolutions, lately entered into here, and to request you to communicate the same at a convenient opportunity.

THOMAS CUSHING, *speaker*.

[June 2, 1773, the galleries having been cleared, by a vote of the house, Mr. S. Adams observed, "that he perceived the minds of the people were much agitated by a report, that letters of an extraordinary nature had been written and sent to England, greatly to the prejudice of this province:

\*In consequence of burning the Gaspee, a British armed vessel, which had greatly harassed the navigation of Rhode Island, a court of enquiry was appointed, under the great seal of England, to be holden at Newport. They met once and again, but finally dissolved, without doing any thing important. It was supposed that many persons, suspected of burning the Gaspee, would have been sent to England for trial.

that he had obtained certain letters, with different signatures, with the consent of the gentleman, from whom he received them, that they should be read in the house, under certain restrictions, namely, that the said letters be neither printed nor copied, in whole, or in part,"—and he accordingly offered them for the consideration of the house. A vote then passed, that the letters be read; and they were read accordingly: being signed, Thomas Hutchinson, Andrew Oliver, Charles Paxton, Robert Auchmuty, &c. The whole house was then resolved into a committee, to take said letters into consideration, and the house adjourned to the afternoon. Mr. Hancock, from the committee of the whole house, reported, that the committee were of opinion, the tendency and design of the said letters was to overthrow the constitution of this government, and to introduce arbitrary power into the province, and the report was accepted, 101 to 5. A committee of nine was, thereupon, chosen, to consider what was proper to be done, in reference to the letters aforesaid; and the speaker, (Mr. Cushing,) Mr. Admas, Mr. Hancock, Mr. Gorham, Mr. Pickering, maj. Hawley, col. Warren, Mr. Payne and major Foster, were chosen.]

EXTRACT FROM THE GOVERNOR'S MESSAGE TO THE TWO HOUSES, JANUARY 26, 1774.

*Gentlemen of the council, and*

*Gentlemen of the house of representatives,*

The judicial proceedings of the governor and council, as the supreme court of Probate, and as the court for determining in cases of marriage and divorce, having been impeded in many instances, where the opinion of the governor has been different from that of the majority of councillors present, the governor having always considered his consent as necessary to every judicial act. In the year 1771, I stated the arguments, as well against as for the claim of the governor; and his majesty having been pleased to order the case thus stated, to be laid before the lords of his majesty's most honorable privy council, I am now able to inform you, that it has been signified to me, to be his majesty's pleasure, that I do acquiesce in the determination of the majority of counsellors present, voting as a court for proving wills and administration, and deciding controversies concerning marriage and divorce, although I should differ in opinion from that majority. This order more immediately respects the council; nevertheless, the tender regard which his majesty has shewn for the interest and convenience of his subjects, in a construction of the charter, different from what had

been made by all his governors, ever since its first publication, make it proper for me to communicate the order to both houses.

I am required to signify to you his majesty's disapprobation of the appointment of committees of correspondence, in various instances, which sit and act, during the recess of the general court, by prorogation.

T. HUTCHINSON.

EXTRACT FROM THE ANSWER OF THE HOUSE OF REPRESENTATIVES TO THE GOVERNOR,

February 5, 1774.

*May it please your excellency,*

It affords great satisfaction to this house to find, that his majesty has been pleased to put an end to an undue claim, heretofore made by the governors of this province, grounded upon a supposition that the consent of the chair was necessary to the validity of the judicial acts of the governor and council. Whereby their proceedings, when sitting as the supreme court of Probate, and as the court for determining in cases of marriage and divorce, have been so often impeded. The royal order, that the governor shall acquiesce in the determination of the majority of the council, respects not the council only, but the body of the people of this province. And his majesty has therein shewed his regard to justice, as well as the interest and convenience of his subjects, in rescuing a clause in the charter from a construction which, in the opinion of this house, was repugnant to the express meaning and intent of the charter, inconsistent with the idea of a court of justice, and dangerous to the rights and property of the subject.

Your excellency is pleased to inform the two houses, that you are required to signify to them his majesty's disapprobation of the appointment of committees of correspondence, in various instances, which sit and act, during the recess of the general court, by prorogation. You are not pleased to explain to us the grounds and reasons of his majesty's disapprobation: until we shall have such explanation laid before us, a full answer to this part of your speech will not be expected from us. We cannot, however, omit saying, upon this occasion, that while the common rights of the American subjects, continue to be attacked in various instances, and at times when the several assemblies are not sitting, it is highly necessary that they should correspond with each other, in order to unite in the most effectual means for the obtaining a redress of their grievances. And as the sitting

of the general assemblies in this, and most of the colonies, depends upon the pleasure of the governors, who hold themselves under the direction of administration, it is to be expected, that the meeting of the assemblies will be so ordered, as that the intention proposed by a correspondence between them, will be impracticable, but by committees, to sit and act in the recess. We would, moreover, observe that, as it has been the practice for years past for the governor and lieutenant governor of this province, and other officers of the crown, at all times, to correspond with ministers of state, and persons of distinction and influence in the nation, in order to concert and carry on such measures of the British administration, as have been deemed by the colonists to be grievous to them, it cannot be thought unreasonable, or improper, for the colonists to correspond with their agents, as well as with each other, to the end, that their grievances may be so explained to his majesty, as that, in his justice, he may afford them necessary relief. As this province has heretofore felt the great misfortune of the displeasure of our sovereign, by means of misrepresentations, permit us further to say, there is room to apprehend that his majesty has, in this instance, been misinformed; and that there are good grounds to suspect, that those who may have misinformed him, have had in meditation further measures destructive to the colonies, which they were apprehensive would be defeated by means of committees of correspondence, sitting and acting in the recess of the respective assemblies.

It must be pleasing to the good people of this province, to find that the heavy debt which had been incurred by their liberal aids, through the course of the late war, for the subduing his majesty's inveterate enemies, and extending his territory and dominion in America, is so nearly discharged. Whenever the house of representatives shall deem it incumbent upon them to provide for any future charges, it will be done, as it ought, by such ways and means as, after due deliberation, to them shall seem meet.

In the mean time, this house will employ the powers with which they are entrusted, in supporting his majesty's just authority in the province, according to the royal charter, and in despatching such public business as now properly lies before us. And, while we pursue such measures as tend, by God's blessing, to the redress of grievances, and to the restoration and establishment of the public liberty, we persuade ourselves, that we

shall, at the same time, as far as in us lies, most effectually secure the tranquility and good order of the government, and the great end for which it was instituted, the safety and welfare of the people.

[The committee, by whom the foregoing was reported, were, the speaker, Mr. S. Adams, Mr. Hancock, col. Warren, col. Thayer, col. Bowers, and captain Derby.]

[Before the general court of Massachusetts separated, in June, 1774, they elected five delegates, to meet such as should be chosen by the other colonies, to convene at Philadelphia, to consider the critical and alarming situation of the country.— They met in September, 1774, and delegates from all the other provinces, (except Georgia, which, however, soon afterwards joined the confederacy,) convened there, at that period, and formed the first continental congress. The following gentlemen were appointed delegates: Thomas Cushing, Samuel Adams, Robert T. Paine, James Bowdoin, and John Adams. And as the general court was dissolved, it was also proposed to have a provincial congress, or meeting of deputies, from every town in this state. Deputies were accordingly chosen, and met at Salem, October 7th, 1774. An adjournment was immediately voted, to Concord. John Hancock, was chosen president, and Benjamin Lincoln, secretary. A committee was appointed to consider the state of the province, consisting of the following gentlemen, viz. the president, Joseph Hawley, Dr. Joseph Warren, Samuel Dexter, col. Ward, col. Warren, captain Heath, col. Lee, Dr. Church, Dr. Holtan, Mr. Gerry, col. Tying, captain Robinson, major Foster, and Mr. Gorham. The day following, the committee reported a message to governor Gage, which was accepted, and is as follows:]

MESSAGE FROM THE PROVINCIAL CONGRESS, SITTING AT CONCORD, TO HIS EXCELLENCY GOVERNOR GAGE.

*May it please your excellency,*

The delegates, from the several towns in the province of Massachusetts Bay, convened in congress, beg leave to address you. The distressed and miserable state of the province, occasioned by the intolerable grievances and oppressions to which the people are subjected, and the danger and destruction to which they are exposed, of which your excellency must be sensible, and the want of a general assembly, have rendered it indispensably necessary to collect the wisdom of the province, by their delegates, in this congress

to concert some adequate remedy for preventing impending ruin, and providing for the public safety.

It is with the utmost concern we see your hostile preparations, which have spread such alarm through the province and the whole continent, as threaten to involve us in all the confusion and horrors of civil war: and, while we contemplate an event so deeply to be regretted by every good man, it must occasion the surprise and astonishment of all mankind, that such measures are pursued, against a people, whose love of order, attachment to Britain, and loyalty to their prince, have ever been truly exemplary. Your excellency must be sensible, that the sole end of government is the protection and security of the people: whenever, therefore, that power, which was originally instituted to effect these important and valuable purposes, is employed to harass and enslave the people, in this case it becomes a curse, rather than a blessing.

The most painful apprehensions are excited in our minds, by the measures now pursuing; the vigorous execution of the (Boston) port bill, with improved severity, must certainly reduce the capital and its numerous dependences to a state of poverty and ruin. The acts for altering the charter,\* and the administration of justice in the colony, are manifestly designed to abridge this people of their rights, and to license murders; and, if carried into execution, will reduce them to slavery. The number of troops in the capital, increased by daily accessions drawn from the whole continent, together with the formidable and hostile preparations which you are now making on Boston Neck, in our opinion, greatly endanger the lives, liberties, and property, not only of our brethren in the town of Boston, but of this province in general. Permit us to ask your excellency, whether an inattentive and unconcerned acquiescence to such alarming, such menacing measures, would not evidence a state of insanity? Or, whether the delaying to take every possible precaution for the security of this province, would not be the most criminal neglect in a people, heretofore rigidly and justly tenacious of their constituted rights?

\*In June of this year, an act of parliament was passed, revoking that part of the charter, which allowed the representatives of the people to elect counsellors; and the king, with the advice of his ministers, was empowered to appoint them; and, in August, he accordingly appointed others, commonly called mandamus counsellors; being wholly independent of the people, and holding their office of the crown, they were likely to be fit instruments of oppression and tyranny.

Penetrated with the most poignant concern, and ardently solicitous to preserve union and harmony between Great Britain and the colonies, necessary to the well being of both, we entreat your excellency to remove that brand of contention, the fortress at the entrance of Boston. We are much concerned that you should have been induced to construct it, and thereby causelessly excite such a spirit of resentment and indignation, as now generally prevails.

We assure you, that the good people of this colony never have had the least intention to do any injury to his majesty's troops; but, on the contrary, most earnestly desire, that every obstacle to treating them as fellow subjects may be immediately removed: but are constrained to tell your excellency, that the minds of the people will never be relieved, till those hostile works are demolished. And we request you, as you regard his majesty's honor and interest, the dignity, and happiness of the empire, and the peace and welfare of this province, that you immediately desist from the fortress, now constructing at the south entrance into the town of Boston, and restore the pass to its natural state.

ADDRESS OF THE PROVINCIAL CONGRESS TO THE INHABITANTS OF THE TOWNS AND DISTRICTS OF MASSACHUSETTS-BAY.

December 4, 1774.

*Friends and brethren:*

At a time when the good people of this colony were deprived of their laws, and the administration of justice; when the cruel oppressions brought on their capital had stagnated almost all their commerce; when a standing army was illegally posted among us, for the express purpose of enforcing submission to a system of tyranny; and when the general court was, with the same design, prohibited to sit; we were chosen, and empowered by you, to assemble and consult upon measures necessary for our common safety and defence. With much anxiety for the common welfare, we have attended this service, and upon the coolest deliberation, have adopted the measures recommended to you.

We have still confidence in the wisdom, justice, and goodness of our sovereign, as well as in the integrity, humanity, and good sense of the nation. And, if we had a reasonable expectation that the truth of facts would be made known in England, we should entertain the most pleasing hopes, that the measures concerted by the colonies, jointly and severally, would procure a full redress of our grievances: but we are constrained in justice to

you, to ourselves, and posterity, to say, that the incessant and unrelenting malice of our enemies has been so successful, as to fill the court and kingdom of Great Britain with falsehood and calumnies concerning us, and excite the most bitter and groundless prejudices against us; that the sudden dissolution of parliament, and the hasty summons for a new election, gives us reason to apprehend that a majority of the house of commons will be again elected, under the influence of an arbitrary ministry; and that the general tenor of our intelligence from Great Britain, with the frequent reinforcements of the army and navy at Boston, excites the strongest jealousy, that the system of colony administration, so unfriendly to the protestant religion, and destructive of American liberty, is still to be pursued, and attempted with force, to be carried into execution.

You are placed, by Providence, in a post of honor, because it is a post of danger; and while struggling for the noblest objects, the liberties of our country, the happiness of posterity, and rights of human nature, the eyes, not only of North America and the whole British empire, but of all Europe, are upon you. Let us be, therefore, altogether solicitous that no disorderly behavior, nothing unbecoming our character, as Americans, as citizens, and Christians, be justly chargeable to us.

Whoever, with a small degree of attention, contemplates the commerce between Great Britain and America, will be convinced that a total stoppage thereof will soon produce, in Great Britain, such dangerous effects, as cannot fail to convince the ministry, the parliament, and people, that it is their interest and duty to grant us relief. Whoever considers the number of brave men inhabiting North America, well know, that a general attention to military discipline must so establish their rights and liberties as, under God, to render it impossible for an arbitrary minister of Britain to destroy them. These are facts, which our enemies are apprized of, and if they will not be influenced by principles of justice, to alter their cruel measures towards America, these ought to lead them thereto. They, however, hope to effect by stratagem what they may not obtain by power, and are using arts, by the assistance of base scribblers, who undoubtedly receive their bribes, and by many other means, to raise doubts and divisions throughout the colonies.

To defeat their wicked designs, we think it necessary for each town to be particularly careful, strictly to execute the plans of the continental

and provincial congress; and, while it censures its own individuals counteracting those plans, that it be not deceived, or diverted from its duty, by rumors, should any take place, to the prejudice of other communities. Your provincial congresses, we have reason to hope, will hold up the towns, if any should be so lost, as not to act their parts; and none can doubt, that the continental congress will rectify errors, should any take place, in any colony, through the subtilty of our enemies. Surely, no arguments can be necessary to excite you to the most strict adherence to the American association, since the minutest deviation in one colony, especially in this, will probably be misrepresented in the others, to discourage their general zeal and perseverance, which, however, we assure ourselves, cannot be effected.

While the British ministry are suffered, with a high hand, to tyrannize over America, no part of it, we presume, can be negligent in guarding against the ravages threatened by the standing army, now in Boston; these troops will, undoubtedly, be employed in attempts to defeat the association which our enemies cannot but fear will eventually defeat them; and, so sanguinary are those our enemies, as we have reason to think, so thirsty for the blood of this innocent people, who are only contending for their rights, that we should be guilty of the most unpardonable neglect, should we not apprize you of your danger, which appears to us imminently great, and ought attentively to be guarded against. The improvement of the militia in general, in the military art, has been therefore thought necessary, and strongly recommended by this congress. We now think, that particular care should be taken by the towns and districts in this colony, that each of the minute men, not already provided therewith, should be immediately equipped with an effective fire-arm, bayonet, pouch, knapsack, thirty rounds of cartridges and ball, and that they be disciplined three times a week, and oftener, as opportunity may offer.

To encourage these, our worthy countrymen, to obtain the skill of complete soldiers, we recommend it to the towns, and districts, forthwith to pay their own minute men a reasonable consideration for their services; and, in case of a general muster, their further services must be recompensed by the province. An attention to discipline in the militia, in general, is, however, by no means to be neglected.

With the utmost cheerfulness, we assure you of our determination to stand or fall with the li-



berties of America; and while we humbly implore the Sovereign Disposer of all things, to whose Divine Providence the rights of his creatures cannot be indifferent, to correct the errors and alter the measures of an infatuated ministry, we cannot doubt of his support, even in the extreme difficulties which we all may have to encounter. May all means devised, for our safety, by the general congress of America, and assemblies or conventions of the colonies, be resolutely executed, and happily succeeded; and may this injured people be reinstated in the full exercise of their rights, without the evils and devastations of civil war.

### John Champe.

FROM THE RICHMOND COMPILER.

Some person in a late Compiler having asked, with at least the semblance of sincerity, whether Slaughter or Champe was sent to arrest the traitor Arnold? I beg leave to inform him, upon the testimony of Henry Lee, that Champe was the distinguished soldier selected for this highly honorable, and most confidential business, by major Lee, at the request of general Washington. Lee, in his memoirs of the war in the southern states, thus describes the hero, and his adventure:—

"He was a native of Loudon county, in Virginia, about twenty-three or twenty-four years of age; that he had enlisted in '76—rather above the common size—full of bone, and muscle; with a saturnine countenance; grave, thoughtful and taciturn—of tried courage and inflexible perseverance, and as likely to reject an offer coupled with ignominy, as any officer in the corps; a commission being the goal of his long and anxious exertions, and certain on the first vacancy."

[It will be proper here to premise, that although Champe was young, ardent, and devoted to his country's cause, and thirsting for military fame; yet his noble and magnanimous soul revolted at the idea of doing any think underhanded, or that had even the shadow of a deviation from the paths of chivalry, and the high notions of honor which glowed in every American bosom.—At last, however, Champe, convinced that no action stamp with the approbation of the commander in chief, could be other than laudable and worthy of a soldier's best exertions, he engaged in the enterprise with alacrity and zeal; and after all the plans of Washington were fully explained to him by major Lee, it was determined that, to give a greater chance of success, that Champe should enter the enemies lines as a deserter! and accordingly he did

desert.]—"Evidently discernible as were the difficulties in the way, no relief could be administered by major Lee, lest it might induce a belief that he was privy to the desertion, which opinion getting to the enemy, would involve the life of Champe. The serjeant was left to his own resources and to his own management, with the declared determination that, in case his departure should be discovered before morning, Lee would take care to delay pursuit as long as was practicable."

"Giving to the serjeant three guineas, and presenting his best wishes, he recommended him to start without delay, and enjoined him to communicate his arrival in New-York as soon thereafter as might be practicable. Champe pulling out his watch, compared it with the major's, reminding the latter of the importance of holding back pursuit, which he was convinced would take place during the night, and which might be fatal, as he knew that he should be obliged to zig-zag in order to avoid the patrols, which would consume time. It was now 11 o'clock: He returned to camp,\* and taking his cloak, valise, and orderly book, he drew his horse from the picket, and mounting him, put himself upon fortune. Lee, charmed with his expeditious consummation of the first part of his enterprize, retired to rest. Useless attempt! The past scene could not be obliterated; and, indeed, had that been practicable, the interruption which ensued would have stopped repose.

"Within half an hour, captain Carnes, officer of the day, waited upon the major, and, with considerable emotion, told him that one of the patrols had fallen in with a dragoon, who, being challenged, put spur to his horse and escaped, though instantly pursued. Lee, complaining of the interruption, and pretending to be extremely fatigued by his ride to and from head-quarters, answered as if he did not understand what had been said, which compelled the captain to repeat it. Who can the fellow that was pursued be? enquired the major; adding, a countryman, probably. No, replied the captain, the patrol sufficiently distinguished him to know that he was a dragoon; probably one from the army, if not certainly of our own. This idea was ridiculed from its improbability, as during the whole war but a single dragoon had deserted from the legion. This did not convince Carnes, so much stress was it now the fashion to lay on the desertion of Arnold, and the probable effect of his example. The captain withdrew to examine the

\*From Lee's Marque, where they had been consulting on the best plan of the proposed desertion.

squadron of horse, whom he had ordered to assemble in pursuance of established usage on such occasions. Very quickly he returned, stating that the scoundrel<sup>a</sup> was known, and no other person than the serjeant major, who had gone off with his horse, baggage, and orderly book—so presumed, as neither the one nor the other could be found. Sensibly affected at the supposed baseness of a soldier extremely respected, the captain added that he had ordered a party to make ready for pursuit, and begged the major's written orders.

"Occasionally this discourse was interrupted, and every idea suggested which the excellent character of the serjeant warranted, to induce the suspicion that he had not deserted, but had taken the liberty to leave camp with a view to personal pleasure: an example, said Lee, too often set by the officers themselves, destructive as it was of discipline, opposed as it was to orders, and disastrous as it might prove to the corps in the course of the service.

"Some little delay was thus interposed, but it being now announced that the pursuing party was ready, major Lee directed a change in the officer, saying that he had a particular service in view, which he had determined to entrust to the lieutenant ready for duty, and which probably must be performed in the morning. He therefore directed him to summon cornet Middleton for the present command. Lee was induced thus to act, first to add to the delay, and next from his knowledge of the tenderness of Middleton's disposition, which he hoped would lead to the protection of Champe, should he be taken.—Within ten minutes Middleton appeared to receive orders, which were delivered to him made out in the customary form, and signed by the major. 'Pursue so far as you can with safety, serjeant Champe, who is suspected of deserting to the enemy, and has taken the road leading to Pauler's Hook. Bring him alive that he may suffer in the presence of the army; but kill him if he resists or escapes after being taken.'

"Detaining the cornet a few minutes longer in advising him what course to pursue, urging him to take care of the horse and accoutrements, if recovered—and enjoining him to be on his guard, lest he might, by his eager pursuit, improvidently fall into the hands of the enemy, the major dismissed Middleton, wishing him success. A shower of rain fell soon after Champe's departure, which

enabled the pursuing dragoons to take the trail of his horse; knowing, as officer and trooper did, the make of their shoes, whose impression was an unerring guide.

"When Middleton departed, it was a few minutes past twelve; so that Champe had only the start of rather more than an hour—by no means as long as was desired. Lee became very unhappy, not only because the estimable and gallant Champe might be injured, but lest the enterprize might be delayed; and he spent a sleepless night. The pursuing party during the night, was, on their part, delayed by the necessary halts to examine the road, as the impression of the horse's shoes directed their course; this was unfortunately too evident, no other horse having passed along the road since the shower. When the day broke, Middleton was no longer found to halt, and he pressed on with rapidity. Ascending an eminence before he reached the three Pidgeons, some miles on the north of the village of Bergen, (Jersey) as the pursuing party reached its summit, Champe was discovered not more than half a mile in front, resembling an Indian in his vigilance. The serjeant at the same moment discovered the party, (whose object he was no stranger to,) and giving spur to his horse, he determined to outstrip his pursuers. Middleton, at the same instant put his horses to the top of their speed; and being (as the legion all were) well acquainted with the country, he recollected a short route through the woods to the bridge below Bergen, which diverged from the great road just after you gain the Three Pidgeons.—Reaching the point of separation he halted, and dividing his party, directed a serjeant with a few dragoons to take the near cut, and possess, with all possible despatch the bridge, while he with the residue followed Champe; not doubting but that Champe must deliver himself up, as he would be closed between himself and his serjeant. Champe did not forget the short cut, and would have taken it himself, but he knew it was the usual route of our parties when returning in the way from the neighborhood of the enemy, properly preferring the woods to the road.—He consequently avoided it; and persuaded that Middleton would avail himself of it, wisely resolved to relinquish his intention of getting to Pauler's Hook, and to seek refuge from two British galleys, lying a few miles to the west of Bergen.

<sup>a</sup>The reader will understand, that Washington and Lee were the only persons acquainted with the facts in this case.

"This was a station always occupied by one or more galleys, and which it was known now lay there. Entering the village of Bergen, Champe

turned to his right, and disguised his change of course as much as he could by taking the beaten streets, turning as they turned; he passed through the village and took the road towards Elizabeth town Point. Middleton's serjeant gained the bridge, when he conceived himself ready to pounce upon Champe when he came up; and Middleton pursuing his course through Bergen, soon got also to the bridge, when to his extreme mortification he found that the serjeant had slipped through his fingers. Returning up the road, he enquired of the villagers of Bergen, whether a dragoon had been seen that morning preceding his party? He was answered in the affirmative, but could learn nothing satisfactory as to the route he took. While engaged in enquiries himself, he spread his party through the village to take the trail of Champe's horse, a resort always resorted to. Some of his dragoons hit it just as the serjeant, leaving the village, got in the road leading to the Point. Pursuit was renewed with vigor, and again Champe was discovered. He, apprehending the event, had prepared himself for it, by lashing his valise, (containing his clothes and orderly book) on his shoulders, and holding a drawn sword in his hand, having thrown away its scabbard. This he did to save what was indispensable to him, and to prevent any interruption to swimming by the scabbard, should Middleton, as he presumed, when disappointed at the bridge, take the measures adopted by him. The pursuit was rapid and close, as the stop occasioned by the serjeant's preparation for swimming had brought Middleton within two or three hundred yards. As soon as Champe got abreast of the galleys, he dismounted, and running through the marsh to the river, plunged into it, calling upon the galleys for help. This was readily given; they fired upon our horse, and sent a boat to meet Champe, who was taken on board, and conveyed to New-York, with a letter from the captain of the galley stating the past scene, all of which he had seen."

[*Champe's affair continued, from another paper.*]

Washington was highly pleased with the result of his adventure. The eagerness of the pursuit he thought would be decisive evidence to the British commander, that this was a real and not a feigned desertion. Champe was immediately brought before sir Henry Clinton, and questioned by him on a variety of subjects, and amongst the rest, if any American officers were suspected of desertion, and who those officers were. The serjeant was forewarned on this point, and gave such answers

as would more effectually mislead. After this examination he was consigned to the care of general Arnold, and by him retained in his former rank. Washington hoped and believed, that the trial of Andre would occupy much time, and enable Champe to accomplish his designs. That gallant officer disdaining all subterfuge, completely foiled this hope, by broadly confessing the nature of his connexion with Arnold. The commander in chief offered to exchange Andre for Arnold, a proposal sir Henry Clinton, for obvious motives, declined. Had this gallant officer protracted his trial, and the plot proved successful, the life of Andre would have been saved, not by the intrigues of sir Henry Clinton, but of Washington in his favor. The honest and precipitate intrepidity of the British officer defeated this benevolent project, and no alternative remained but a speedy death. The serjeant, unfortunate as he was in this, was more successful in obtaining evidence the most full and satisfactory, that the suspicions resting on several American officers were foul calumnies, and a forgery of the enemy. He now determined on making one bold attempt for the seizure of Arnold. Having been allowed, at all times, free access to Arnold, marked all his habits and movements, he awaited only a favorable opportunity for the execution of his project. He had ascertained that Arnold usually retired to rest about twelve, and that previous to this, he spent some time in a private garden, adjoining his quarters. He was there to have been seized, bound, and gagged, and under the pretext that he was a soldier in a state of intoxication, to have been conveyed through bye paths, and unsuspected places to a boat laying in readiness, in the river Hudson. Champe engaged two confederates, and major Lee, who co-operated in the plan, received timely intelligence of the night fixed on for its execution. At the appointed time that officer, attended by a small party well mounted, laid in wait on the other side of the Hudson with two spare horses, one for Champe, and the other for Arnold. The return of day light announced the discomfiture of the plan, and Lee and his party retired to the camp with melancholy forebodings that the life of the gallant serjeant had been sacrificed to his zeal in the service of his country. Consoling was the intelligence, shortly after received from the confederates, that on the night preceeding the one fixed for Arnold's arrest, that officer had shifted his quarters. It appeared that he was employed to superintend the embarkation of certain troops, composed chiefly of American deserters, and it was apprehended that unless

re removed from their barracks, which adjacent to the shore, many might seize that nity to escape. This attempt was never renewed. On the junction of Arnold and Cornwallis, in Virginia, the serjeant means to elude the vigilance of the British and to reach in safety the army of general

Having been furnished by that officer means of escaping to Washington's camp, led there to the astonishment and joy of his federates in arms.

Washington assumed the command of the elder president Adams, he caused strict enquiry to be made for the man who had so honorably distinguished himself, intending to honor such felicity with military promotion, and heard great sorrow that he died but a short time in the state of Kentucky. These facts are condensed from the interesting manuscript of major general Lee.

Edward, in her monody on the death of mare, thus speaks of the character of Wash-

Washington! I thought thee great and good,  
 how thy Nero thirst for guiltless blood:  
 to use the power that fortune gave,  
 cool determined murderer, of the brave.  
 O wretched Washington! the day shall come  
 of repentance for this barbarous doom;  
 injured Andre's mem'ry shall inspire,  
 kindling army with resistless fire.  
 O valchion sharpen that the Britons wield,  
 and their fiercest lion to the field;  
 when each hope of thine shall end in night,  
 dubious dread, and unavailing flight,  
 your haste, thy guilt upbraided soul  
 wish untouch'd, the precious life you stole:  
 when thy heart, appall'd and vanquish'd pride,  
 vainly ask the mercy you denied;  
 error shalt thou meet the fate thou gave,  
 thy gild the darkness of thy grave.

Who does poetic petulance dispense its invective will now ask, who accelerated the death of

Who made the extension of mercy toward an act of mistaken mercy and of criminal lenience? Unquestionably sir Henry Clinton? unquestionably the man who was propagating these arms of treason in the American camp. He used this severe measure for common security, indispensible, as the commander in chief, not, at that time, know but what those who had his confidence the most, where the most

deeply implicated in Arnold's machinations. Was he to relieve the victim, and thus sanction to his surrounding officers the treason of Arnold, by his own signature, or to mitigate the severity of his fate, and teach them by this example to hope for mercy if detected? It is not meant to criminate sir Henry Clinton. Such artifices are justifiable in war. That he did, however, by the promulgation of such reports, render the death of Andre inevitable, it is conceived impossible to doubt.—The solicitude of Washington to save the life of this unfortunate man was such, that he hazarded one of the bravest of his own soldiers in the camp of the enemy, for that purpose, and nothing but a concurrence of unpropitious circumstances, that could not have been foreseen by mortal eye, or guarded against, if they could have been, prevented its accomplishment. It is a singular fact, that while the British commander was hastening the death of Andre, Washington was exerting himself to ward off that calamity.

### Serjeant Jasper.

The following biographical sketch of serjeant Jasper, whose name has been given to one of the counties of Georgia, in commemoration of his gallant deeds and signal services during the revolutionary war, is extracted from the second vol. of McCall's history of Georgia.

"The conduct of serjeant Jasper, meets particular notice in the history of Georgia, and his name is entitled to a page in the history of fame, while many others, high in rank, might justly be forgotten. He was a man of strong mind, but as it had not been cultivated by education, he modestly declined the acceptance of a commission, which was offered to him. At the commencement of the war, he enlisted in the second South Carolina regiment of infantry, commanded by colonel Moultrie. He distinguished himself in a particular manner, at the attack which was made upon fort Moultrie, on Sullivan's Island, on the 28th of June, 1776. In the warmest part of that contest, the flag-staff was severed by a cannon ball, and the flag fell to the bottom of the ditch on the outside of the works. This accident was considered by the anxious inhabitants in Charleston, as putting an end to the contest by striking the American flag to the enemy. The moment Jasper made the discovery that the flag had fallen, he jumped from one of the embrasures, and mounted the colors, which he tied to a sponge-staff, and re-planted them on the parapet, where he supported them until another

ammunition. In short, we want for nothing but ships of war to defend us, which we could procure by making alliances: but such is our attachment to Great Britain, that we sincerely wish for reconciliation, and cannot bear the thoughts of throwing off all dependence on her, which such a step would assuredly lead to. The God of mercy will, I hope, open the eyes of our king that he may see, while in seeking our destruction, he will go near to complete his own. It is my ardent prayer that the effusion of blood may be stopped. We hope yet to see you in this city, a friend to the liberties of America, which will give infinite satisfaction to,

Your sincere friend,

C. S.

To captain S. in Boston.

*Remarks on liberty of conscience, ascribed to his excellency William Livingston, governor of New Jersey, 1778.*

"If, in our estimate of things, we ought to be regulated by their importance, doubtless every encroachment upon religion, of all things the most important, ought to be considered as the greatest imposition; and the unmolested exercise of it, a proportionable blessing.

By religion, I mean an inward habitual reverence for, and devotedness to the Deity, *with such external homage, either public or private, as the worshipper believes most acceptable to him.* According to this definition, it is impossible for human laws to regulate religion without destroying it; for they cannot compel *inward* religious reverence, that being altogether mental and of a spiritual nature; nor can they enforce *outward* religious homage, because all such homage is either a man's own choice, and then it is not compelled, or it is repugnant to it, and then it cannot be religious.

The laws of England, indeed, do not peremptorily inhibit a man from worshipping God, according to the dictates of his own conscience, nor positively constrain him to violate it, by conforming to the religion of the state: But they punish him for doing the former, or what amounts to the same thing, for omitting the latter, and consequently punish him for his religion. For what are the civil disqualifications and the privation of certain privileges he thereby incurs, but so many punishments? And what else is the punishment for not embracing the religion of others, but a punishment for practising one's own? With how little propriety a nation can boast of its freedom under such restraints on religious liberty, requires no great

sagacity to determine. They affect, tis true, to abhor the imputation of intolerance, and applaud themselves for their pretended toleration and lenity. As contra-distinguished, indeed, from actual prohibition, a permission may doubtless be called a toleration; for as a man is permitted to enjoy his religion under whatever penalties or forfeitures, he is certainly tolerated to enjoy it. But as far as he pays for such enjoyment, by suffering those penalties and forfeitures, he as certainly does not enjoy it freely. On the contrary, he is persecuted in the proportion that his privilege is so regulated and qualified. I call it persecution, because it is harassing mankind for their principles; and I deny that such punishments derive any sanction from law, because the *consciences of men are not the objects of human legislation.* And to trace this stupendous insult on the dignity of reason to any other source than the one from which I deduced it in the preceding essay, I mean the abominable combination of **KING-CRAFT** and **PRIEST-CRAFT**, (in everlasting indissoluble league to extirpate liberty, and erect on its ruins boundless and universal despotism,) would I believe puzzle the most assiduous enquirer. For what business, in the name of common sense, has the magistrate (distinctly and singly appointed for our political and temporal happiness) with our religion, which is to secure our happiness spiritual and eternal? And indeed among all the absurdities chargeable upon human nature, it never yet entered into the thoughts of any one to confer such authority upon another. The institution of civil society I have pointed out as originating from the unbridled rapaciousness of individuals, and as a necessary curb to prevent that violence and other inconveniences to which men in a state of nature were exposed. But whoever fancied it a violence offered to himself, that another should enjoy his own opinion? Or who, in a state of nature, ever deemed it an inconvenience that every man should choose his own religion? Did the free denizens of the world, before the monstrous birth of **PRIEST-CRAFT**, aiding by and aided by the secular arm, ever worry one another for not practising ridiculous rites, or for disbelieving things incredible? Did men in their aboriginal condition ever suffer persecution for conscience sake? The most frantic enthusiast will not pretend it. Why then should the members of society be supposed, on their entering into it, to have had in contemplation the reforming an abuse which never existed? Or why are they pretended to have invested the magistrate with authority to sway and direct their religious senti-

ment? In reality, such delegation of power, had it ever been made, would be a mere nullity, and the compact by which it was ceded, altogether nugatory, *the rights of conscience being immutably personal and absolutely inalienable*, nor can the state or community as such have any concern in the matter. For in what manner doth it affect society, which is evidently and solely instituted to prevent personal assault, the violation of property and the defamation of character; and hath not (these remaining inviolate) any interest in the actions of men—how doth it, I say, affect society what principles we entertain in our own minds, or in *what outward form we think it best to pay our adoration to God?* But to set the absurdity of the magistrate's authority to interfere in matters of religion, in the strongest light, I would fain know what religion it is that he has authority to establish? Has he a right to establish only the true religion, or is any religion true because he does not establish it? If the former, his trouble is as vain as it is arrogant, *because the true religion being not of this world, wants not the princes of this world to support it; but has in fact either languished or been adulterated wherever they meddled with it.* If the supreme magistrate, as such, has authority to establish any religion he thinks to be true, and the religion so established is therefore right and ought to be embraced, it follows, since all supreme magistrates have the same authority, that all established religions are equally right, and ought to be embraced. The emperor of China, therefore, having, as supreme magistrate in his empire, the same right to establish the precepts of Confucius, and the Sultan in his, the imposture of Mahomet, as hath the king of Great Britain the doctrine of Christ in his dominion, it results from these principles, that the religions of Confucius and Mahomet are equally true with the doctrine of our blessed Saviour and his Apostles, and equally obligatory upon the respective subjects of China and Turkey, as Christianity is on those within the British realm; a position which, I presume, the most zealous advocate for ecclesiastical domination would think it blasphemy to avow.

*The English ecclesiastical government, therefore, is, and all the RELIGIOUS ESTABLISHMENTS IN THE WORLD, are manifest violations of the right of private judgment in matters of religion.* They are impudent outrages on common sense, in arrogating a power of controlling the devotional operations of the mind and external acts of divine homage not cognizable by any human tribunal, and for which we are ac-

countable only to the Great Searcher of hearts, whose prerogative it is to judge them.

In contrast with this spiritual tyranny, how beautiful appears our Catholic constitution in *disclaiming all jurisdiction over the souls of men, and securing, by a law never to be repealed, the voluntary, unchecked moral suasion of every individual, and his own self-directed intercourse with the Father of spirits, either by devout retirement or public worship of his own election!* How amiable the plan of entrenching, with the sanction of an ordinance, immutable and irrevocable, the sacred rights of conscience, and *renouncing all discrimination between men on account of their sentiments about the various modes of church government, or the different articles of their faith."*

#### LEGISLATURE OF VIRGINIA.

FROM WIRT'S LIFE OF HENRY.

*Debate on the motion offered by Patrick Henry, esq. in the year 1775, to put the colony of Virginia in a state of defence.*

On Monday the 20th of March, 1775, the convention of delegates from the several counties and corporations of Virginia, met for the second time. Their meeting was held in the Old Church, in the town of Richmond.—Mr. Henry was a member of this body also. The reader will bear in mind the tone of the instructions given by the convention of the preceding year, to their deputies in congress. He will remember that while they recite, with great feeling, the series of grievances under which the colonies had labored, and insist, with firmness, on their constitutional rights, they give nevertheless the most explicit and solemn pledge of their faith and true allegiance to his majesty, king George the III. and avow their determination to support him, with their lives and fortunes, in the legal exercise of all his just rights and prerogatives. He will remember that these instructions contain also an expression of their sincere approbation of a connection with Great Britain—and of their ardent wishes for a return of that friendly intercourse, from which this country had derived so much prosperity and happiness. These sentiments still actuated many of the leading members of the convention of 1775—they could not part with the fond hope, that those peaceful days would again return, which had shed so much light and warmth over the land; and the report of the king's gracious reception of the petition from congress, tended to cherish that hope and to render them averse to any measure of violence—but Mr. Henry saw things with a steadier eye, and a deeper insight

His judgment was too solid to be duped by appearances, and his heart too firm and manly, to be amused by false and flattering hopes.—He had long since read the true character of the British court, and saw that no alternative remained for his country, but abject submission, or heroic resistance. It was not for a soul like Henry's, to hesitate between these courses. He had offered upon the altar of liberty no divided heart. The gulph of war which yawned before him, was indeed fiery and fearful. But he saw that the awful plunge was inevitable. The body of the convention, however, hesitated. They cast around a "longing lingering look" to those flowery fields, on which peace and ease and joy were still sporting, and it required all the energies of a Mentor, like Henry, to push them from the precipice, and conduct them over the stormy sea of the revolution, to liberty and glory.

The convention being formed, and organized for business, proceeded in the first place to express their unqualified approbation of the measures of congress, and to declare that they considered this whole continent as under the highest obligations to that respectable body for the wisdom of their councils, and their unremitting endeavors to maintain and preserve inviolate, the just rights and liberties of his majesty's dutiful and loyal subjects in America.

They next resolved, "that the warmest thanks of the convention, and of all the inhabitants of this colony were due, and that this just tribute of applause, be presented to the worthy delegates, deputed by a former convention to represent this colony in general congress, for their cheerful undertaking, and faithful discharge of the very important trust reposed in them."

The morning of the 23d of March was opened by reading a petition and memorial from the assembly of Jamaica, "to the king's most excellent majesty;" whereupon it was resolved "that the unfeigned thanks, and most grateful acknowledgements of the convention be presented to that very respectable assembly, for the exceeding generous and affectionate part they have so nobly taken, in the unhappy contest between Great Britain and her colonies, and for their truly patriotic endeavors to fix the just claims of the colonists upon the most permanent constitutional principles; that the assembly be assured, that it is the most ardent wish of this colony (and they were persuaded, of the whole continent of North America) to see a speedy return of those halcyon days when we lived a free and happy people."

These proceedings were not adapted to the taste of Mr. Henry. On the contrary, they were "gall and worm-wood" to him. The house required to be wrought up to a bolder tone. He rose, therefore, and moved the following manly resolutions:

*"Resolved, That a well-regulated militia, composed of gentlemen and yeomen, is the natural strength and only security of a free government; that such a militia, in this colony, would forever render it unnecessary for the mother country to keep among us, for the purpose of our defence, any standing army of mercenary soldiers, always subversive of the quiet, and dangerous to the liberties of the people, and would alleviate the pretext of taxing us for their support.*

*"That the establishment of such a militia is, at this time, peculiarly necessary, by the state of our laws, for the protection and defence of the country, some of which are already expired, and others will shortly be so, and that the known remissness of government, in calling us together, in legislative capacity, renders it too insecure, in this time of danger and distress, to rely that opportunity will be given of renewing them, in general assembly, or making any provision to secure our inestimable rights and liberties from those further violations with which they are threatened.*

*"Resolved, therefore, that this colony be immediately put into a state of defence, and that be a committee to prepare a plan for the embodying, arming and disciplining such a number of men, as may be sufficient for that purpose."*

The alarm which such a proposition must have given to those who had contemplated no resistance of a character more serious than petition, non-importation and passive fortitude, and who still hung, with suppliant tenderness, on the skirts of Britain, in the hope of seeing, once more, her maternal smile, will be readily conceived by the reflecting reader. The shock was painful: it was almost general. The resolutions were opposed, as not only rash in policy, but as harsh, and well nigh impious, in point of feeling. Some of the warmest patriots of the convention opposed them. Richard Bland, Benjamin Harrison, and Edmund Pendleton, who had so lately drunk of the fountain of patriotism, in the continental congress, and Robert C. Nicholas, one of the best, as well as ablest men and patriots in the state, gave them all the resistance of their great influence and abilities. They urged the late gracious reception

of the congressional petition by the throne.—They insisted that national comity, and much more, filial respect, demanded the exercise of a more dignified patience:—that the sympathies of the parent country were now on our side; that the friends of American liberty, in parliament, were still with us, and had, as yet, had no cause to blush for our indiscretion; that the manufacturing interest of Great Britain, already smarting under the effects of our non-importation, co-operated powerfully towards our relief; that the sovereign himself had relented, and shown that he looked upon our sufferings with an eye of pity. Was this the moment, they asked, to disgust our friends, to extinguish all the conspiring sympathies which were working in our favor, to turn their friendship into hatred; their pity into revenge? And what was there, they asked, in the situation of the colony, to tempt us to this? Were we a great military people? Were we ready for war? Where were our stores—where were our arms—where our soldiers—where our generals—where our money, the sinews of war? They were no where to be found. In truth, we were poor—we were naked—we were defenceless: and yet we talk of assuming the front of war!—of assuming it too, against a nation, one of the most formidable in the world! a nation, ready and armed at all points!—her navies riding triumphant in every sea—her armies never marching but to certain victory!—What was to be the issue of the struggle we were called upon to court? What *could* be the issue, in the comparative circumstances of the two countries, but to yield up *this country*, an easy prey to Great Britain, and to convert the illegitimate right, which the British parliament now claimed, into a firm and indubitable right, *by conquest*? The measure might be brave; but it was the bravery of madmen. It had no pretension to the character of prudence, and as little to the grace of genuine courage. It would be time enough to resort to measures of *despair*, when every well founded *hope* had entirely vanished.

To this strong view of the subject, supported as it was, by the stubborn fact of the well known helpless condition of the colony, the opponents of those resolutions superadded every topic of persuasion which belonged to the case. "The strength and lustre which we derived from our connexions with Great Britain—the domestic comforts which we had drawn from the same source, and whose value we were now able to estimate, by their loss—that ray of reconciliation, which was dawning

upon us from the east, and which promised so fair and happy a day: with this they contrasted the clouds and storms which the measure, now proposed, was so well calculated to raise, and in which we should not have even the poor consolation of being pitied by the world, since we should have, so needlessly and rashly, drawn them upon ourselves."

These arguments and topics of persuasion were so well justified by the appearance of things, and were, moreover, so entirely in unison with that love of ease and quiet, which is natural to man, and that disposition to hope for happier times, even under the most forbidding circumstances, that an ordinary man, in Mr. Henry's situation, would have been glad to compound with the displeasure of the house, by being permitted to withdraw his resolutions in silence.

Not so Mr. Henry. His was a spirit fitted to raise the whirlwind, as well as to ride in and direct it. His was that comprehensive view, that unerring prescience, that perfect command over the actions of men, that qualified him, not merely to guide, but almost to create the destinies of nations.

He rose, at this time, with a majesty unusual to him, in an exordium, and with all that self-possession by which he was so invariably distinguished. "No man," he said, "thought more highly than he did of the patriotism, as well as abilities, of the very worthy gentlemen who had just addressed the house. But different men often saw the same subject in different lights; and therefore, he hoped it would not be thought disrespectful to those gentlemen, if entertaining, as he did, opinions of a character very opposite to theirs, he should speak his sentiments, freely and without reserve. This, he said, was no time for ceremony. The question before the house, was one of awful moment to this country. For his own part, he considered it, as nothing less than a question of freedom or slavery; and in proportion to the magnitude of the subject, ought to be the freedom of the debate. It was only in this way that they could hope to arrive at truth, and fulfil the great responsibility which they held to God and their country. Should he keep back his opinions, at such a time, through fear of giving offence, he should consider himself as guilty of treason towards his country, and of an act of disloyalty towards the Majesty of Heaven, which he revered before all earthly kings."

"Mr. President," said he, "it is natural to man to indulge in the illusions of hope. We are ex-



to shut our eyes against a painful truth, and listen to the song of that syren, till she transforms us into beasts. Was this, he asked, the part of wise men, engaged in a great and arduous struggle for liberty? Were we disposed to be of the number of those who, having eyes, see not, and, having ears, hear not the things which so nearly concern their temporal salvation? For his part, whatever anguish of spirit it might cost, he was willing to know the whole truth—to know the worst, and to provide for it."

"He had," he said, "but one lamp, by which his feet were guided, and that was the lamp of experience. He knew of no way of judging the future, but by the past; and judging by the past, he wished to know what there had been in the conduct of the British ministry for the last ten years, to justify those hopes with which gentlemen had been pleased to solace themselves and the house. It is that insidious smile with which our petition has been lately received? Trust it not, sir, it will prove a snare to your feet.—Suffer, not yourselves to be betrayed with a kiss. Ask yourselves how this gracious reception of our petition comports with those warlike preparations, which cover our waters, and darken our land? Are fleets and armies necessary to a work of love and reconciliation? Have we shewn ourselves so unwilling to be reconciled, that force must be called in, to win back our love? Let us not deceive ourselves, sir. These are the implements of war and subjugation—the last arguments, to which kings resort. I ask gentlemen, sir, what means this martial array, if its purposes be not to force us to submission?—Can gentlemen assign any other possible motive for it? Has Great Britain any enemy, in this quarter of the world, to call for all this accumulation of navies and armies? No, sir, she has none. They are meant for us: they can be meant for no other. They are sent over, to bind and rivet upon us those chains, which the British ministry have been so long forging. And what have we to oppose to them? Shall we try argument?—Sir, we have been trying that, for the last ten years. Have we any thing new to offer upon the subject? Nothing. We have held the subject up in every light of which it is capable: but it has been all in vain.—Shall we resort to entreaty and humble supplication? What terms shall we find, which have not been already exhausted? Let us not, I beseech you, sir, deceive ourselves longer. Sir, we have done every thing that could be done, to avert the storm which is now coming on. We have petitioned

—we have remonstrated—we have supplicated—we have prostrated ourselves before the throne, and have implored its interposition, to arrest the tyrannical hands of the ministry and parliament.—Our petitions have been slighted—our remonstrances have produced additional violence and insult—our supplications have been disregarded, and we have been spurned with contempt from the foot of the throne. In vain, after these things, may we indulge the fond hope of peace and reconciliation. There is no longer any room for hope. If we wish to be free—if we mean to preserve inviolate those inestimable privileges, for which we have been so long contending—if we mean not basely to abandon the noble struggle, in which we have been so long engaged, and which we have pledged ourselves never to abandon, until the glorious object of our contest shall be obtained—we must fight! I repeat it, sir, we must fight!! An appeal to arms, and to the God of Hosts, is all that is left us!"

"Imagine to yourself," says my correspondent, "this sentence, delivered with all the calm dignity of Cato, of Utica—imagine to yourself the Roman senate, assembled in the capitol, when it was entered by the profane Gauls, who, at first, were awed by their presence, as if they had entered an assembly of the Gods!—imagine that you heard that Cato addressing such a senate—imagine that you saw the hand writing on the wall of Belshazar's palace—imagine you had heard a voice, as from Heaven, uttering the words "*He must fight,*" as the doom of fate, and you may have some idea of the speaker, the assembly to whom he addressed himself, and the auditory, of which I was one.

"They tell us, sir," continued Mr. Henry, "that we are weak—unable to cope with so formidable an adversary.—But when shall we be stronger?—Will it be the next week or the next year? Will it be when we are totally disarmed, and when a British guard shall be stationed in every house? Shall we gather strength by irresolution and inaction? Shall we acquire the means of effectual resistance, by lying supinely on our backs, and hugging the delusive phantom of hope, until our enemies shall have bound us hand and foot? Sir, we are not weak, if we make a proper use of those means which the God of nature hath placed in our power.—Three millions of people, armed in the holy cause of liberty, and in such a country as that which we possess, are invincible by any force which our enemy can send against us. Besides, sir, we

\*Judge Tucker.

shall not fight our battles alone. There is a just God, who presides over the destinies of nations, and who will raise up friends to fight our battles for us. The battle, sir, is not to the strong alone; it is to the vigilant, the active, the brave. Besides, sir, we have no election. If we were base enough to desire it, it is now too late to retire from the contest. There is no retreat, but in submission and slavery! Our chains are forged: their clanking may be heard on the plains of Boston! The war is inevitable; and let it come!! I repeat it, sir—LET IT COME!!

"It is in vain, sir, to extenuate the matter: Gentlemen may cry, "peace peace;" but there is no peace; the war is actually begun! The next gale that sweeps from the north will bring to our ears the clash of resounding arms! Our brethren are already in the field! Why stand we here idle?—What is it that gentlemen wish? What would they have? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery!!! Forbid it, Almighty God! I know not what course others may take; but, as for me" (cried he, with both his arms extended aloft, his brows knit, every feature marked with the resolute purpose of his soul, and his voice swelled to its boldest note of exclamation,) "GIVE ME LIBERTY OR GIVE ME DEATH."

He took his seat. No murmur of applause was heard; the effect was too deep. After the trance of a moment, several members were seen to start from their seats. The cry "to arms," seemed to quiver on every lip, and gleam from every eye! Richard H. Lee, arose and supported Mr. Henry, but even his melody was lost amidst the agitation of that ocean, which the master spirit of the storm had lifted on high. That supernatural voice still sounded in their ears, and shivered along their arteries. They heard in every pause the cry of *liberty or death*. They became impatient of speech. Their souls were on fire for action.

The measure was adopted; and Patrick Henry, Richard H. Lee, Robert C. Nicholas, Benjamin Harrison, Lemuel Kiddick, George Washington, Adam Stevens, Andrew Lewis, William Christian, Edmund Pendleton, Thomas Jefferson, and Isaac Zane, esquires, were appointed a committee to prepare the plan called for by the last resolution.

### Letters from Thomas Jefferson.

*From the Richmond Compiler of April 6, 1816.*

The following are extracts from letters tending to prove that the American declaration of inde-

pendence was the effect of ministerial oppression and not the result of a pre-concerted plan.—Tho' intended for the bosom of private friendship, those letters may legitimately be considered as conveying the sentiments of the whole American people at that time. They evince the reluctance with which a separation from Great Britain was contemplated; and do away the idea held out by some English writers, that "independence had long been meditated by the leading characters in the colonies, and that they availed themselves of the obnoxious acts of the British government for its assertion."

Thomas Jefferson, in a letter to Dr. Wm. Small, formerly one of the professors of William and Mary, but then at Birmingham, in England, where he successfully applied his extensive scientific knowledge to practical improvements, in various manufactures, &c. dated May 7th, 1775, writes as follows:

"Within this week, we have received the unhappy news of an action of considerable magnitude between the king's troops and our brethren of Boston, in which it is said 500 of the former, with the earl of Percy, were slain. That such an action has happened is undoubted, though, perhaps, the circumstances may not yet have reached us with truth. This accident has cut off our last hopes of reconciliation, and a phrenzy of revenge seems to have seized all ranks of people.—It is a lamentable circumstance that the only mediatory power acknowledged by both parties, instead of leading to a reconciliation this divided people, should pursue the incendiary purpose of still blowing up the flames, as we find him constantly doing in every speech, and public declaration. This may, perhaps, be intended to intimidate into an acquiescence, but the effect has been most unfortunately otherwise. A little knowledge of human nature, and attention to its ordinary workings, might have foreseen that the spirits of the people were in a state, in which they were more likely to be provoked than frightened by haughty deportment; and to fill up the measure of irritation, proscription of individuals has been substituted in the room of just trial. Can it be believed that a grateful people will suffer those to be consigned to execution whose sole crime has been developing and asserting their right? Had the parliament possessed the liberty of reflection, they would have avoided a measure as impotent as it was inflammatory. When I saw lord Chatbam's bill, I entertained high hopes that a reconciliation could have

been brought about. The difference between his terms, and those offered by our congress, might have been accommodated, if entered on by both parties with a disposition to accommodate; but the dignity of parliament, it seems, can brook no opposition to its power. Strange, that a set of men who have made sale of their virtue to the minister, should yet talk of retaining dignity!"

Another letter from the same gentleman to John Randolph, the former attorney general, dated August 25th, 1775, contains the annexed passage:

"I am sorry the situation of our country should render it not eligible to you to remain longer in it. I hope the returning wisdom of Great Britain will ere long put an end to the unnatural contest. There may be people to whose tempers and dispositions contention may be pleasing, and who may therefore wish a continuance of confusion; but to me, it is of all states but one, the most horrid. My first wish is a restoration of our just rights; my second a return of the happy period when, consistently with duty, I may withdraw myself totally from the public eye, and pass the rest of my days in domestic ease and tranquility, banishing every desire of afterwards even hearing what passes in the world. Perhaps, ardour for the latter adds considerably to the warmth of the former wish. Looking with fondness towards a reconciliation with Great Britain, I cannot help hoping you may be able to contribute towards expediting this good work. I think it must be evident to yourself that the ministry have been deceived by their officers on this side the water, who (for what purposes I cannot tell) have constantly represented the American opposition as that of a small faction, in which the body of the people took little part. This you can inform them, of your own knowledge, to be untrue. They have taken it into their heads, too, that we are cowards, and shall surrender at discretion to an armed force. The past and future operations of the war must confirm or undeceive them on that head. I wish they were thoroughly and minutely acquainted with every circumstance relative to America, as it exists in truth. I am persuaded they would go far towards disposing them to reconciliation. Even those in parliament who are called friends to America, seem to know nothing of our real determinations. I observe they pronounced in the last parliament that the congress of 1774 did not mean to insist rigorously on the terms they held out, but kept something in reserve to give up, and in fact, that they would

give up, every thing but the right of taxation. Now, the truth is far from this, as I can affirm, and put my honor to the assertion. Their continuing in this error, may, perhaps, have very ill consequences. The congress stated the lowest terms they thought possible to be accepted, in order to convince the world they were not unreasonable. They gave up the monopoly and regulation of trade, and all acts passed prior to 1764, leaving to British generosity to render these, at some future time, as easy to America as the interests of Great Britain could admit. I wish no false sense of honor, no ignorance of our real intentions, no vain hope that partial concessions of right will be accepted, may induce the ministry to trifle with accommodation 'till it shall be put even out of our own power to accommodate. If, indeed, Great Britain, disjoined from her colonies, be a match for the most potent nations of Europe, with the colonies thrown into their scale, they may go on securely; but if they are not assured of this, it would be certainly unwise, by trying the event of another campaign, to risk our accepting a foreign aid, which, perhaps, may not be unattainable but on a condition of everlasting avulsion from Great Britain. This would be thought a hard condition to those who wish for re-union with the parent country. I am sincerely one of those, and would rather be in dependence on Great Britain, properly limited, than on any nation upon earth, or than on no nation; but I am one of those too, who rather than submit to the right of legislating for us, assumed by the British parliament, and which late experience\* has shewn they will so cruelly exercise, would lend my hand to sink the whole island in the ocean.

\*This is understood to have alluded to a bill, passed by the house of lords at their preceding session, excepting from the benefit of any general pardon which might be offered, certain individuals by name. Mr. Montague, then agent for the house of burgesses of Virginia (which place was procured for him by the interest of Peyton Randolph, speaker of the house, and his early and intimate friend) extracted the substance of the bill, and the names excepted, and enclosed the extract to Peyton Randolph. Among the persons excepted were Hancock and one or both Adamses, as notorious leaders of the opposition in Massachusetts, Patrick Henry, as the same in Virginia, Peyton Randolph, as president of the general congress at Philadelphia, and Thomas Jefferson, as author of a proposition to the convention of Virginia for an address to the king, in which was maintained that there was in right no link of union between England and the colonies but that of the same king, and that neither the parliament, nor any other functionary of that government, had any more right to exercise authority over the colonies, than over the electorate of Hanover, &c.

# Letters from Dr. Franklin.

We offer to our readers extracts from some unpublished letters of Dr. Franklin, which may be considered as properly belonging to the general stock of materials for the determination of his character; and for the natural history. We have added to them an extract of a letter of Silas Deane, in relation to him, containing an interesting anecdote which we have not seen in print. The letter of Franklin to his son, on the subject of the stamp act, is important; as is, indeed, almost every particular, however small, connected with that measure—the immediate cause of the most momentous and exemplary of political relations.

*Nat. Gaz.*

*Extract of a letter from Dr. Franklin to H. R. esq. of Philadelphia.*

LONDON, Feb. 26, 1761.

"You tell me you sometimes visit the ancient Junto. I wish you would do it oftener; I know they all love and respect you, and regret your absenting yourself so much.—People are apt to grow strange and not understand one another so well, when they meet but seldom. Since we have held that club till we are grown grey together, let us hold it out to the end. For my own part, I find I love company, chat, a laugh, a glass, and even a song, as well 'as ever; and, at the same time, relish better than I used to do, the grave observations and wise sentences of old men's conversation. So that I am sure the Junto will be still as agreeable to me as it ever has been: I therefore hope it will not be discontinued as long as we are able to crawl together.

*To the same.*

LONDON, July 7, 1765.

"I wish you would continue to meet the Junto, notwithstanding that some effect of our public political misunderstandings may sometimes appear there. 'Tis now perhaps one of the *oldest* clubs, as I think it was formerly one of the *best*, in the king's dominions; it wants but about two years of forty since it was established; we loved and still love one another, we are grown grey together, and yet it is too early to part. Let us sit till the evening of life is spent; the last hours were always the most joyous; when we can stay no longer 'tis time enough then to bid each other good night, separate, and go quietly to bed."

*To the same.*

LONDON, Feb. 27, 1766.

"I received your kind letter of Nov. 27th; you

cannot conceive how much good the cordial salutations of an old friend do to the heart of a man so far from home, and hearing frequently of the abuse thrown on him in his absence by the enemies that party has raised against him.

"In the mean time I hope I have done even those enemies some service in our late struggle for America. It has been a hard one, and we have been often between hope and despair; but now the day begins to clear; the ministry are fixed for us, and we have obtained a majority in the house of commons for repealing the stamp act, and giving us ease in every commercial grievance. God grant that no bad news of farther excesses in America may arrive to strengthen our adversaries and weaken the hands of our friends, before this good work is quite completed.

"The partisans of the late ministry have been strongly crying out rebellion, and calling for force to be sent against America. The consequence might have been terrible! but milder measures have prevailed."

*Extract of a letter from Benjamin Franklin to his son William Franklin, esq.*

LONDON, Nov. 9, 1765.

"Mr. Cooper, secretary of the treasury, is our old acquaintance, and expresses a hearty friendship for us both. Enclosed I send you his billet proposing to make me acquainted with lord Rockingham. I dine with him tomorrow.

"I had a long audience on Wednesday with lord Dartmouth. He was highly recommended to me by lords Grantham and Hesborough, as a young man of excellent understanding, and the most amiable dispositions. They seemed extremely intent on bringing us together. I had been to pay my respects to his lordship on his appointment to preside at the board of trade; but during the summer he has been much out of town, so that I had not, till now, the opportunity of conversing with him. I found him all they said of him. He even exceeded the expectations they had raised in me. If he continues in that department, I foresee much happiness from it to the American affairs. He enquired kindly after you, and spoke of you handsomely. I gave it him as my opinion, that the general execution of the stamp act would be impracticable, without occasioning more mischief than it was worth, by totally alienating the affections of the Americans, and thereby lessening their commerce. I therefore wished that advantage might be taken of the address expected over, (if expressed, as I

hoped it would be, in humble and dutiful terms) to suspend the execution of the act for a term of years, till the colonies should be more clear of debt, and better able to bear it; and then drop it on some decent pretence, without ever bringing the question of right to decision.

"And I strongly recommended either a thorough union with America, or that government here would proceed in the old method of requisition, by which I was confident more would be obtained in the way of voluntary grant, than could probably be got by compulsory taxes laid by parliament. I stated that particular colonies might at times be backward, but at other times, when in better temper, they would make up for that backwardness, so that on the whole it would be nearly equal: That to send armies and fleets to enforce the act, would not, in my opinion, answer any good end: That the inhabitants would probably take every method to encourage the soldiers to desert, to which the high price of labor would contribute, and the chance of being never apprehended in so extensive a country, where the want of hands, as well as the desire of wasting the strength of an army come to oppress, would incline every one to conceal deserters, so that the officers would probably soon be left alone: That fleets, indeed, might easily obstruct their trade, but withal must ruin great part of the trade of Britain; as the properties of American and British or London merchants were mixed in the same vessels, and no remittances could be received here; besides the danger, by mutual violences; excesses and severities, of creating a deep rooted aversion between the two countries, and laying the foundation of a future total separation.

"I added, that, notwithstanding the present disscontents, there still remained so much respect in America for this country, that wisdom would do more towards reducing things to order, than all our forces, and that, if the address expected from the congress of the colonies should be unhappily such as could not be made the foundation, three or four wise and good men, personages of some rank and dignity, should be sent over to America, with a royal commission to enquire into grievances, hear complaints, learn the true state of affairs, giving expectations of redress where they found the people really aggrieved, and endeavoring to convince and reclaim them by reason, where they found them in the wrong: That such an instance of the considerateness, moderation, and justice of this country towards its remote subjects would contribute more towards securing and perpetuat-

ing the dominion, than all its forces, and be much cheaper.

"A great deal more I said on our American affairs; too much to write. His lordship heard all with great attention and patience. As to the address expected from the congress, he doubted some difficulty would arise about receiving it, as it was an irregular meeting, unauthorized by any American constitution. I said, I hoped government here would not be too nice on that head; that an address of the whole there seemed necessary, their separate petitions last year being rejected. And to refuse hearing complaints and redressing grievances, from punctilios about form, had always an ill effect, and gave great handle to those turbulent, factious spirits who are ever ready to blow the coals of dissention. He thanked me politely for the visit and desired to see me often.

"It is true that inconveniences may arise to government here by a repeal of the act, as it will be deemed a tacit giving up the sovereignty of parliament, and yet I think the inconveniences of persisting much greater, as I have said above. The present ministry are truly perplexed how to act on the occasion: as, if they relax, their predecessors will reproach them with giving up the honor, dignity, and power of their nation. And yet even they, I am told, think they have carried things too far; so that if it were indeed true that I had planned the act (as you say it is reported with you) I believe we should soon hear some of them exculpating themselves by saying I had misled them. I need not tell you, that I had not the least concern in it. It was all cut and dried, and every resolve framed at the treasury ready for the house, before I arrived in England, or knew any thing of the matter; so that if they had given me a pension on that account, (as is said by some,) it would have been very dishonest in me to accept it. I wish an enquiry was made of the Dutch parsons how they came by the letter you mention, which is undoubtedly a forgery, as not only there were no such facts, but there is no such person as the queen's chaplain. I think there is no doubt, but that, though the stamp act should be repealed, some mulct or punishment will be inflicted on the colonies, that have suffered the houses of officers, &c. to be pulled down; especially if their respective assemblies do not immediately make reparation."

*Extract of a letter from Silas Deane, at Paris, respecting Dr. Franklin.*

"Gratitude, as well as justice, to that truly great man, to whose friendship, and counsel, I owe much,

to say on this occasion, that I only know that the reports of his enemies, were, are directly the reverse of the which Dr. Franklin has ever sustained; he now most eminently supports. It is a pleasure to reflect on the honors and rewards paid him by all orders of people, and never did I enjoy greater satisfaction in being the spectator of the public him.

the cause being to be heard before the court of Paris, and the house and street crowded with people, on the appearance of Franklin, way was made for him in the most honorable manner, and he passed through the seat reserved for him, amid the acclamations of the people—an honor seldom paid princes of the blood.

attended the operas and plays similar to those paid him, and I confess I felt a joy which was pure and honest, though not for I considered it an honor to be an American and his acquaintance. I express the grief and indignation I felt at such a character represented as the human depravity is capable of exhibiting; such a representation should be made of the Americans."

#### FRANKLIN AND LORD HOWE.

was one of the commissioners sent out, to prevent the revolution. On his arrival he addressed the following note to Dr. Franklin. The reply of the latter is truly a masterpiece.

It has been frequently published, but as if we could not dispense with it in this volume.]

*Lord Howe to Dr. Franklin.*

My worthy friend, permit the letters which I have sent, to be landed, without word upon the subject of the intimacies, in which our unhappy disputes lie us.

I learn the nature of my mission from the despatches, which I have recommended to be forwarded by the same conveyance.—

In the earnestness, I ever expressed, to your differences accommodated, I shall conform with the disposition in the colonies, once taught to expect, the most flattering and proving servicable in the objects of your paternal solicitude, by—

establishment of lasting peace and union with the colonies: but, if the deep rooted prejudices of America, and the necessity of preventing her trade from passing into foreign channels, must keep us still a divided people, I shall, from every private as well as public motive, most heartily lament that this is not the moment wherein those great objects of my ambition are to be attained; and that I am to be longer deprived of an opportunity to assure you personally of the regard with which I am," &c.

DR. FRANKLIN answered:

"I received safe the letters your lordship so kindly forwarded to me, and beg you to accept my thanks.

"The official despatches, to which you refer me, contain nothing more than what we had seen in the act of parliament; viz. "Offers of pardon upon submission;" which I am sorry to find, as it must give your lordship pain to be sent so far on so hopeless a business.

"Directing pardons to be offered to the colonies, who are the very parties injured, expresses indeed that opinion of our ignorance, baseness and insensibility, which your uninformed and proud nation has long been pleased to entertain of us; but it can have no other effect than that of increasing our resentments. It is impossible we should think of submission to a government that has, with the most wanton barbarity and cruelty, burned our defenceless towns in the midst of winter; excited the savages to massacre our peaceful farmers, and our slaves to murder their masters; and is even now bringing foreign mercenaries to deluge our settlements with blood. These atrocious injuries have extinguished every spark of affection for that parent country, that we once held so dear, but were it possible for us to forget and forgive them, it is not possible for you, I mean the British nation, to forgive the people you have so heavily injured. You can never confide again in those, as fellow subjects, and permit them to enjoy equal freedom, to whom you know you have given such just causes of lasting enmity; and this must impel you, were we again under your government, to endeavor to break our spirit by the severest tyranny, and obstructing by every means in your power, our growing strength and prosperity.

"Your lordship mentions "the king's paternal solicitude for promoting the establishment of lasting peace and union with the colonies." If, by peace, he here meant a peace, to be entered into with distinct states, now at war, and his majesty's

has given your lordship powers to treat with us of such a peace, I may venture to say, though without authority, that I think a treaty for that purpose not quite impracticable, before we enter into foreign alliances; but I am persuaded you have no such powers.—Your nation thought, by punishing those American governors, who have fomented the discord; rebuilding our burnt towns, and repairing, as far as possible, the mischiefs done us, she might recover a great share of our regard, and the greatest share of our growing commerce, with all the advantages of that additional strength to be derived from a friendship with us; yet, I know too well her abounding pride and deficient wisdom, to believe she will ever take such salutary measures. Her fondness for conquest, as a warlike nation; her lust of dominion, as an ambitious one; and her thirst for a gainful monopoly, as a commercial one, none of them legitimate causes of war, will join to hide from her eyes every view of her true interest, and continually goad her on, in these ruinous distant expeditions, so destructive both of lives and of treasure, that they must prove as pernicious to her in the end, as the crusades formerly were to most of the nations of Europe.

"I have not the vanity, my lord, to think of intimidating by thus predicting the effects of this war: for I know that it will, in England, have the fate of all my former predictions, not to be believed till the event shall verify it.

"Long did I endeavor, with unfeigned and unwearied zeal, to preserve from breaking that fine and noble porcelain vase, the British empire: for, I knew that, being once broken, the separate parts could not retain even their share of the strength and value that existed in the whole, and that a perfect re-union of those parts could scarce ever be hoped for. Your lordship may possibly remember the tears of joy that wetted my cheek, when, at your good sister's, in London, you once gave me expectations, that a reconciliation might take place. I had the misfortune to find these expectations disappointed, and to be treated as the cause of the mischief I was laboring to prevent. My consolation, under that groundless and malevolent treatment, was that I retained the friendship of many wise and good men in that country, and among the rest, some share in the regard of lord Howe.

"The well founded esteem, and permit me to say, affection, which I shall always have for your lordship, make it painful to me to see you engaged in conducting a war, the great ground of which, as

described in your letter, is "the necessity of preventing the American trade from passing into foreign channels." To me it seems that neither the obtaining or retaining any trade, how valuable soever, is an object for which men may justly spill each other's blood; that the true and sure means of extending and securing commerce are the goodness and cheapness of commodities: and that the profits of no trade can ever be equal to the expense of compelling it, and holding it by fleets and armies. I consider this war against us, therefore, as both unjust and unwise; and I am persuaded that cool and dispassionate posterity will condemn to infamy those who advised it: and that even success will not save from some degree of dishonor those who have voluntarily engaged to conduct it.

"I know your great motive in coming hither was the hope of being instrumental in a reconciliation; and, I believe, when you find that to be impossible, on any terms given you to propose, you will then relinquish so odious a command, and return to a more honorable private station.

"With the greatest and most sincere respect, I have the honor to be," &c.

DR. FRANKLIN.

FROM THE SOUTHERN PATRIOT.

*Introduction of Dr. Franklin into the French Academy.*

The people of France have, on various occasions, evinced that they partook of our political sentiments and feelings. When the death of Washington was announced, Bonaparte and the national representatives wore mourning. On the death of Franklin, the national assembly put on the emblems of grief, and appointed one of their members, Abbe Fauchet, to pronounce his eulogy; the place in which he spoke was hung with black, and decorated with the most expensive devices. In the course of the oration the orator burst forth in this apostrophe. "Thou bright luminary of freedom, why should I call thee great? Grandeur is too often the scourge of the human kind, whose felicity thy goodness was ever exerted to promote. Thou hast been the benefactor of the universe; be thy name ever revered. May it be the comfort of the wretched, the joy of the free. What man is more entitled to our gratitude? It was not sufficient to control the lightning of Heaven, and to avert the fury of the growling tempest; thou hast rendered unto mankind a service still greater; thou extinguishest the thunder of earthly despots, which was ready to be hurled upon their trembling subjects.

What pleasure must it have been to thee on earth, to perceive others profiting by thy precepts and by example. With what greater rapture must thou now contemplate thy own diffusion of light; will illumine the world, and man, perceiving his natural dignity, will raise his soul to Heaven and owe to no empire but that which is founded on virtue and reason. I have but one wish to utter: it is a wish dear to my heart; a wish always cherished in thy virtuous and benevolent bosom—surely it will derive some favor from the throne of God, when uttered in the name of Franklin: It is that, becoming free, men may become also wiser and better—there is no other means of deserving liberty."

Mr. Jefferson, in a letter to Dr. William Smith, expresses himself, "I can testify that there appeared to me more veneration and respect attached to the character of Dr. Franklin in France, than to that of any other person in the same country, foreign or native. I had an opportunity of knowing particularly how far these sentiments were felt by the foreign ambassadors and ministers at the court of Versailles. The fable of his capture by the Algerines, propagated by the English newspapers, excited no uneasiness, as it was seen at once to be a dish cooked up to please certain readers; but nothing could exceed the anxiety of his diplomatic brethren, on a subsequent report of his death, which although premature bore some marks of authenticity. I found the ministers of France equally impressed with his talents and integrity. The Count de Vergennes, particularly, gave me repeated and unequivocal demonstrations of his entire confidence in him."

"When he left Passy, it seemed as if the village had lost its Patriarch. On taking leave of the court, which he did by letter, the king ordered him to be handsomely complimented, and furnished him with a litter and mules of his own, the only kind of conveyance the state of his health could bear. The succession to Dr. Franklin at the court of France, was an excellent school of humility to me. On being presented to any one, as the minister of America, the common place question was 'Is it you, sir, who replace Dr. Franklin?' I generally answered, 'no one can replace him, sir; I am only his successor.'"

But his introduction into the academy, was as high a testimonial of esteem as one great people could offer another. As he entered D'Alembert saluted him with the celebrated line.

*Eripuit caelo fulmen, sceptrumque tyrannis.*

Condorcet thus describes this grateful and memorable ceremony:—At this same time Paris boasted, also, the presence of the celebrated Franklin, who, in another hemisphere, had been the apostle of philosophy and toleration. Like Voltaire, he had often employed the weapon of humour which corrects the absurdities of men, and had displayed their perverseness as a folly more fatal but also worthy of pity. He had joined to the science of metaphysics the genius of practical philosophy; as Voltaire, that of poetry. Franklin had delivered the vast continent of America from the yoke of Europe, and I was eager to see a man whose reputation had long been spread over both worlds.—Voltaire, although he had lost the habit of speaking English, endeavored to support the conversation in that language, and afterwards resuming the French, he said, 'I could not resist the desire of speaking the language of Mr. Franklin, for a moment.' The American philosopher presented his grandson to Voltaire, with a request that he would give him his benediction. 'God and liberty,' said Voltaire, 'is the only benediction which can be given to the grandson of Franklin.'

"They went together to a public assembly of the Academy of Sciences, and the public at the same time beheld with emotion these two men, born in different quarters of the globe, venerable by their years, their glory; the employment of their life, and both enjoying the influence which they had exercised over the age in which they lived. They embraced each other amidst public acclamations, and it was said to be Solon who embraced Sophocles. But the French Sophocles had trampled on error and advanced the reign of reason; and the Solon, of Philadelphia, having placed the constitution of his country on the immovable foundation of the rights of man, had no fear of seeing his uncertain laws, even during his own life, open the way to tyranny, and prepare fetters for his country."

### Case of Asgill.

The following narrative and letters we have copied from the correspondence of baron Grimm. The baron was led to notice it, from its being made the ground work of a French tragedy called *Abdair*, by Sauvigny, represented at Paris in January, 1789.—*Bost. Dai. Adv.*

You can well remember the general interest which sir — Asgill inspired, a young officer in the English guards, who was made prisoner and condemned to death by the Americans in reprisal



for the death of captain Huddy, who was hanged by order of capt. Lippincott. The public prints all over Europe resounded with the unhappy catastrophe, which for eight months impended over the life of this young officer. The extreme grief of his mother, the sort of delirium which clouded the mind of his sister, at hearing the dreadful fate which menaced the life of her brother, interested every feeling mind in the fate of that unfortunate family. The general curiosity in regard to the events of the war, yielded, if I may say so, to the interest which young Asgill inspired, and the first question asked of all vessels that arrived from any port in North America, was always an enquiry into the fate of that young man. It is known that Asgill was thrice conducted to the foot of the gibbet, and that thrice gen. Washington, who could not bring himself to commit this crime of policy without a great struggle, suspended his punishment: his humanity and justice made him hope that the English general would deliver over to him the author of the crime which Asgill was condemned to expiate. Clinton, either ill advised, or insensible to the fate of the young Asgill, persisted in refusing to deliver up the barbarous Lippincott. In vain the king of England, at whose feet this unfortunate family fell down, had given orders to surrender up to the Americans the author of a crime which dishonored the English nation; George III. was not obeyed. In vain the states of Holland entreated the United States of America the pardon of the unhappy Asgill. The gibbet, erected in front of his prison, did not cease to offer to his eyes those dreadful preparatives more awful than death itself. In these circumstances, and almost reduced to despair, the mother of the unfortunate victim bethought herself that the minister of a king armed against her own nation might succeed in obtaining that which was refused to her king. Madame Asgill wrote to the count de Vergennes a letter, the eloquence of which, independent of oratorical forms, is that of all people and all languages, because it derives its power from the first and noblest sentiment of our nature.

The two memorials which are subjoined merit being preserved as historical monuments.

*Letter from lady Asgill to the compte de Vergennes.*

"Sir—If the politeness of the French court will permit a stranger to address it, it cannot be doubted but that she who unites in herself, all the more delicate sensations with which an individual can be penetrated, will be received favorably by a nobleman, who reflects honor not only on his nation,

but on human nature. The object on which I implore your assistance is too heart rending to be dwelt upon; most probably the public report of it has already reached you; this relieves me from the burden of so mournful a duty. My son, my only son, dear to me as he is brave, amiable as he is beloved, only nineteen years of age, a prisoner of war, in consequence of the capitulation of York Town, is at present confined in America as an object of reprisal. Shall the innocent suffer the fate of the guilty? Figure to yourself, sir, the situation of a family in these circumstances. Surrounded, as I am, with objects of distress, bowed down by fear and grief, words are wanting to express what I feel, and to paint such a scene of misery; my husband, given over by his physicians some hours before the arrival of this news, not in a situation to be informed of it; my daughter, attacked by a fever accompanied by delirium, speaking of her brother in tones of distress, and without an interval of reason unless it be to listen to some circumstance which may console her heart. Let your sensibility, sir, paint to you my profound, my inexpressible misery, and plead in my favor; a word from you, like a voice from heaven, would liberate us from desolation, from the last degree of misfortune. I know how far gen. Washington reveres your character. Tell him only that you wish my son restored to liberty, and he will restore him to his desponding family; he will restore him to happiness. The virtue and courage of my son will justify this act of clemency. His honor, sir, led him to America; he was born to abundance, to independence, and to the happiest prospects. Permit me once more to intreat the interference of your high influence in favor of innocence, and in the cause of justice and humanity. Despatch, sir, a letter from France to general Washington, and favor me with a copy of it that it may be transmitted from hence. I feel the whole weight of the liberty taken in presenting this request. But I feel confident, whether granted or not, that you will pity the distress by which it is suggested; your humanity will drop a tear upon my fault and blot it out forever.

"May that heaven which I implore, grant that you may never need the consolation which you have it in your power to bestow on

"*THERESA ASGILL*"

It was to this letter that young Asgill owed his life and liberty. His mother was informed almost at the same instant, that the minister of the king of France had written to general Washington to procure the pardon of her son, and that his re-

ist had been granted. If any thing can convey an idea of the mournful sentiments to which a parent was a prey during eight months, it is the sentiment which her gratitude inspires in the letter addressed to the count de Vergennes, on which she owed the restoration of her son to his inheritance; the greatest talents never produced a thing more noble or equally affecting.

*Second letter of lady Asgill to compte de Vergennes.*  
 "Exhausted by long suffering, overpowered by the excess of unexpected happiness, confined to my bed by weakness and languor, bent to the earth by what I have undergone, my sensibility alone could supply me with strength sufficient to address you.

"Condescend, sir, to accept this feeble effort of my gratitude. It has been laid at the feet of the mighty; and believe me, it has been presented with the same sincerity to you, sir, and to your illustrious sovereign; by their august and salutary intervention, as by your own, a son is restored to me, whom my life was attached. I have the sweet assurance, that my vows for my protectors are heard by heaven, to whom they are ardently offered. Yes, sir, they will produce their effect before the dreadful and last tribunal, where I indulge the hope that we shall both appear together; you to receive the recompense of your virtues; myself, that my sufferings. I will raise my voice before the imposing tribunal. I will call for those registers, in which your humanity will be found recorded. I will pray that blessings may be showered on your head, upon him who, availing himself of the noblest privilege received from God, a privilege no other than divine, has changed misery into happiness, has withdrawn the sword from the innocent head, and restored the worthiest of sons to the most tender and unfortunate of mothers.

"Condescend, sir, to accept the just tribute of gratitude due to your virtuous sentiments. Preserve this tribute, and may it go down to your posterity as a testimony of your sublime and exemplary beneficence to a stranger, whose nation was at war with our own, but whose tender affections had not been destroyed by war. May this tribute bear testimony to my gratitude long after the hand that expresses it, with the heart, which at this moment only vibrates with the vivacity of grateful sentiments, shall be reduced to dust; it shall bear it to offer you all the respect and all the gratitude with which it is penetrated.

"THERESA ASGILL."

#### AN HONEST JURY.

The refusal of certain gentlemen, returned to serve as grand jurors for Boston, or Suffolk county, in 1774, being frequently alluded to, the following, which shews the reasons why they would not be impannelled, becomes highly interesting:  
*County of Suffolk, Boston, Aug. 30, 1774.*

We, who are returned by the several towns in this county, to serve as grand jurors at the superior court for this present term, being actuated by a zealous regard for peace and good order, and a sincere desire to promote justice, righteousness and good government, as being essential to the happiness of the community, would now most gladly proceed to the discharge of the important duty required in that department, could we persuade ourselves that, by doing thus, it would add to our own reputation, or promote the welfare of our country. But when we consider the dangerous inroads that have been made upon our civil constitution, the violent attempts now making to alter and annul the most essential parts of our charter, granted by the most solemn faith of kings, and repeatedly recognized by British kings and parliaments; while we see the open and avowed design of establishing the most complete system of despotism in this province, and thereby reducing the freeborn inhabitants thereof to the most abject state of slavery and bondage; we feel ourselves necessarily constrained to decline being impannelled, for reasons that we are ready to offer to the court, if permitted, which are as follows:

1st. Because Peter Oliver, esq. who sits as chief judge of this court, has been charged with high crimes and misdemeanors, by the late honorable house of representatives, the grand inquest of this province; of which charge he has never been legally acquitted, but has been declared by that house, unqualified to act as judge of this court.

2d. Because, by a late act of the British parliament, for altering the constitution of this province, the continuance of the present judges of this court, as well as the appointment of others, from the 1st of July last, is made to depend solely on the king's pleasure, vastly different from the tenure of the British judges; and as we apprehend they now hold their places, only in consequence of that act, all the judicial proceedings of the court will be taken as concessions to the validity of the same, to which we dare not assent.

3d. Because three of the judges, being the major part of the court, namely, the said Peter Oliver, esq. Foster Hutchinson, esq. and William Brown,

esq. by taking the oath of counsellors under authority of the aforementioned act, are (as we are informed) sworn to carry into execution all the late grievous acts of the British parliament, among the last of which, is one, made ostensibly for the impartial administration of justice in this province, but, as we fear, really for the impunity of such persons as shall, under pretext of executing those acts, murder any of the inhabitants thereof, which acts appear to us to be utterly repugnant to every idea of justice and common humanity, and are justly complained of, throughout America, as highly injurious and oppressive to the good people of this province, and manifestly destructive of their natural as well as constitutional rights.

4th. Because we believe, in our consciences, that our acting in concert with a court so constituted, and under such circumstances, would be so far betraying the just and sacred rights of our native land, which were not the gift of kings, but were purchased solely with the toil, the blood, and treasure, of our worthy and revered ancestors, and which we look upon ourselves under the most sacred obligations to maintain, and to transmit the same, whole and entire to our posterity.

Therefore, we, the subscribers, unanimously decline serving as grand jurors at this court.

William Thompson	Peter Boyer
Joseph Willet	Thomas Crafts, jr.
Paul Revere	Joseph Hall
Robert Williams	Henry Plimpton,
James Ivers	Jonathan Day
Joseph Fool	Nathaniel Beecher
Lemuel Kollock	Ebenezer Hancock
Nicholas Cooke, jr.	Joseph Jones
William Bullard	Thomas Pratt
Moses Richardson	Abijah Upham
Abraham Wheeler	Samuel Hobart.

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"THE HISTORY OF JOHN BULL'S CHILDREN."

[We find the following in the "*Maryland Gazette*," of August, 1776, into which it was copied from the "*London Chronicle*." Those who have read the history of the "*Foresters*," will easily take up the idea, that the design of one of those articles may have been copied from the other. We have followed the copy, as it was printed at the time. It will amuse those who know enough of history to understand it, and perhaps, provoke some to read that they may understand.]

I, sir Humphry Polesworth, who formerly gave the world a true and faithful account of John Bull,

and of his mother, and his sister, and *wives*, and his servants, now write the history of his children, and how they were got, and how they were educated, and what befel them. Courteous reader, if thou hast any curiosity to know these things, read the following chapters and learn.

Chap. I. Of seven natural children, which John Bull had in his younger days by Doll Secretary, his mother's maid; namely, three boys, John, junior Master Jacky, Yorky, and Jerry; four girls, Penelope, Mary, Virgey, and Caroline. How the old lady would suffer no bastards in her family; and how the poor infants were turned adrift on the fish ponds as soon born; how they landed on the western shore, and were there nursed by a wild bear, all under the green wood tree.

Chap. II. How John disowned them, and left them to get over the children's disorders the best way they could, without paying a farthing for nurses, or apothecary's bills; and how, as soon as they had cut their eye teeth, and were able to walk alone, John claimed them for his own.

Chap. III. How master Jacky turned fisherman and ship-carpenter; Yorky and Jerry drove a great trade; Miss Penny dealt in flour, called the Maid of the Mill, and never curtesied to any body: How Mary and Virgey set up a snuff-shop, and Caroline turned dry-salter, and sold indigo; how they all flourished exceedingly, and laid out every penny they earned in their father's warehouse.

Chap. IV. Of two children more, which John had afterwards in lawful wedlock, viz. a boy which he called Georgey, after his great patron, and a girl, which he called Peg, after his sister Margaret; how he crammed them with sugar-plumbs, and how they remained sickly, ricketty brats at this day.

Chap. V. How young Master Baboon, old Louis' only son, fell in love with Miss Virgey; and how he came behind with intent to ravish her; how she squealed and alarmed her dad.

Chap. VI. How John called for his stick and his barge, and crossed the pond to save his daughter's virtue; how young Louis gave him a confounded rap on his fingers, and drove him back, and then at his daughter again.

Chap. VII. How her brother Jack came to her assistance, and threw young Louis on his back; how old Louis Baboon flew to help his son, and carried lord Strutt along with him; how John Bull returned and mustered all his children at his back, and to it they went.

Chap. VIII. How they had a long tustle; how John's children saved their old dad from a broken head, and helped to seize young Louis and tie him; how the old folks agreed to leave young Louis in custody, and drink friends themselves; and how John made his children pay a share of the reckoning without giving them any of the drink.

Chap. IX. How John in his cups bragged of his exploits, and said he had done all himself, and his children nothing; how he made choice of fair George, the gentle shepherd, for his house steward, because he could tell, without the book, that two and three made five, and had the multiplication table by heart.

Chap. X. The whole stewardship of fair George; how he neglected to protest Louis Baboon's note of hand on the day of payment, released lord Strutt from a mortgage on his manor of Eastland; how he took an aversion to cider, and would allow none to be drank in his family; how he rummaged every woman's chest for pen, ink, and paper, and obliged those he caughted writing to stand a-top of the table, with a wooden neckcloth under their chin, while he counted sixty times sixty; and how this is called the gentle shepherd's benefit of clergy unto this day.

Chap. XI. How fair George took an antipathy to John's children, because he said they put nothing into the box at Christmas; and when they came to pay their shop accounts, they brought in their money at the back door; how he advised John to brand them on the far buttock, as they do stray cattle, that he might know them to be his own.

Chap. XII. How John's children rode restiff, and swore they would not have the broad R. stamp't on their b—ck a—des; how John, in heating the irons, burnt his own fingers most d—ly; how all his neighbors laughed, and fair George could not find him a plaster.

Chap. XIII. How John, in a passion, kicked fair George down stairs, and rung up other servants; how they advised him to consult his wife; and how Mrs. Bull bid him let his children alone; that, tho' born in sin, they were his own flesh and blood, and needed no stamp to shew it; how John took her advice, and let the irons cool again; and how some suspected if John's fingers had not smarted, he would not have complied so soon.

Chap. XIV. A dialogue on education, between fair George and lame Will; how Will proved it to be both cruel and impolitic to pinch children till

they cry, and then pinch them for crying; and how George answered and said nothing.

Chap. XV. How John, by means of his new servants, became beloved of his children, and respected by his neighbors; how he obliged Louis Baboon to beat down the wall of Ecclesdown castle, because it overlooked his pond, and harbored sea-gulls to gobble up his fish; how he made him also pay up his note of hand; and how lord Strutt—

But, Mr. Printer, I have given you enough to judge of the general plan of this history. Pray let me have your opinion as to the publication. My notion at present is, to send it abroad in six-penny numbers, and engage the country carriers to take it down; it may pass for political an hundred miles from town.

[The following, said to be from "a late London paper," is also copied from the "Maryland Gazette" of the date aforesaid. It was written to ridicule the idea that manufactures could be carried on in America.]

All the articles of news lately published, that seem improbable, are not mere inventions. Some of them I can assure you, on the *faith of a traveller*, are serious truths. And here give me leave to instance the various numberless accounts the news writers have given us (with so much honest zeal for the welfare of poor old England!) of the establishing manufactures in the colonies to the prejudice of those of this kingdom. It is objected by superficial readers, who yet pretend to some knowledge of those countries, that such establishments are not only improbable but impossible; for that their sheep have but little wool, not in the whole sufficient for a pair of stockings a year to each inhabitant; and that, from the universal dearness of labor among them, the working of iron and other materials, except in some few coarse instances, is impracticable to any advantage. Dear sir, do not let us suffer ourselves to be amused with such groundless objections. The very TAILS of the American sheep are so laden with wool, that each has a cart or waggon, on four little wheels, to support and keep it from trailing on the ground. Would they caulk their ships? Would they fill their beds? Would they even litter their horses with wool, if it was not both plenty and cheap? And what signifies dearness of labor, where an English shilling passes for five and twenty? Their engaging three hundred silk throwsters here in one week for New York was treated as a fable, because, forsooth, they have *no silk there to throw*. Those who made this objection, perhaps, did not

know, that, at the same time the agents from the king of Spain were at Quebec contracting for 1000 pieces of cannon, to be made there for the fortifications of Mexico, with 25,000 axes for their industrious logwood-cutters, and at New York engaging an annual supply of warm floor carpets for their West India houses—other agents from the emperor of China were at Boston, in New England, treating about the exchange of raw silk for wool, to be carried on in Chinese jonks thro' the straits of Magellan. And yet all this is as certainly true as the account, said to be from Quebec, in the papers of last week, that the inhabitants of Canada are making preparations for a cod and whale fishery this summer in the upper lakes. Ignorant people may object that the upper lakes are fresh, and that cod and whale are salt water fish: But let them know, sir, that cod, like other fish, when attacked by their enemies, fly into any water they think they can be safest in; that whales, when they have a mind to eat cod, pursue them wherever they fly; and that the grand leap of the whale in that chase up the falls of Niagara is esteemed by all who have seen it, as one of the finest spectacles in nature!—Really, sir, the world is grown too incredulous: Pendulum-like, it is ever swinging from one extreme to another. Formerly, every thing *printed* was believed, because it was *in print*: Now things seem to be disbelieved, for just the very same reason. Wise men wonder at the present growth of infidelity! They should have considered, when they taught people to doubt the authority of newspapers, and the truth of predictions in almanacks, that the next step might be a disbelief in the well-vouched accounts of ghosts and witches, and doubts even of the truth of the A—n creed.

Your humble servant,  
A TRAVELLER.

### Correspondence of Mr. Adams.

The editor was favored by president ADAMS with a large bundle of letters, written to him by distinguished persons, in the years 1774, 1775, and 1776, and some other papers. Such have been selected as were thought necessary to shew the feelings of those days, and exhibit the character of some of the actors in them.

From J. Palmer, esq. dated at Boston, Sept. 14, 1774, to John Adams, esq. at Philadelphia. [Extracts.]

"The spirit of liberty is amazingly increased, so that there is scarce a tory and hardly a neutral to be found in the country. This province seems ripe for a more popular government, if not restrained

by congress, who will doubtless give all the encouragement to *all* that the good of the *whole* will admit of. Some talk of resuming our first charter, others of absolute independency. Our eye is to the congress—may wisdom direct your every step.

—You will see that our governor has told us, that *the refusing submission to the late acts of parliament is general throughout the province*; and that *he should lay the same before his majesty*: and since that I have received satisfaction that our friends to government are convinced they can't carry these acts into effect; and are willing, if possible, to keep matters in a state of suspense until they hear from home. At the same time they continue to entrench and fortify the neck, professedly, and I believe really and only, for self-defence."

From Benjamin Kent, esq. to the same, dated Boston, Sept. 23, 1774. [Extracts.]

"Our enemies, for their own further security, as well as to bring the town into the most complete dependence on the navy and army, spare no labor or pains; they suffer no owner of powder to take a single grain out of the town's magazine, and there is none to be bought in the town. Two or three days ago, after the men of war had spiked up our cannon at the battery, they robbed us of six good pieces of large cannon, as we were carrying them in a gondola through the mill pond to Water-town. They take and keep the guns and cutlasses out of carts and waggons going over the Neck; and no doubt, if they thought they could disarm the town they would do it instantly. [He then mentions that their friends in Connecticut urged them to act before general Gage should receive the additional regiments which he expected—but that the people of Boston "would not undertake any thing material before they heard from the grand council of America, which we hope will remain forever."] He then expresses a wish that the congress would consider their case, and says "we are not suspicious that it can possibly be disagreeable to the grand congress that we should do every thing in our power towards our defence; but to lie still so long as in any measure to disable us to secure ourselves by and bye, when we can now prevent it, would be very unwise, and it may be fatal to the town." "It is necessary for us, as far as we can, to prepare for the worst that can happen; that we may not be unhappily surprised when the worst shall come. Look into Europe and see how tyranny flourishes; and if the tyrants will but join their forces, in a little time not one free state will be left on the other side of the Atlantic—which GOD forbid!"

In conclusion he says—"I do most heartily hope and desire, the body of representatives, of all the colonies, may have eternity, for the glory of GOD, and the happiness of the American world. This is the prayer of the faith of your and their most cordial brother and friend."

*From John Trumbull, esq. to the same, dated Boston, Aug. 20, 1774. [Extracts.]*

"In the county of Worcester, the people, at a general meeting, have resolved that no court shall be held there, according to the new regulation of juries, and that judge Oliver shall not take his seat. Upon a report that a regiment would be sent to protect the court, they declared that they were ready to meet it. It is to be hoped, however, that no violent measures will be taken, till the sense of the whole continent is known; as the people have great dependence upon the determinations of congress, and expect them to chalk out the line for their conduct. As to the soldiers here, they are no more feared than if they were the troops of Lilliput. Indeed, they are much more disposed to flight than combat, and have more inclination to desert to us than to fight us—above two hundred having already left them. To put a stop to these frequent desertions, the officers are obliged to treat them with great severity—death or 1000 lashes, is the only choice offered to those who are retaken. There is a humorous story told about town of one of the deserters, though I cannot say it is absolutely to be depended upon as fact: a soldier, whose name was Patrick, deserted sometime ago and settled in a country town at some distance, and there undertook to instruct a company of about fifty men in military exercises. A serjeant and eight men were sent to apprehend deserters, got intelligence of him, and agreed with a countryman, for a couple of guineas, to conduct them to him. Patrick, it seems, was at that time exercising his company; however, being called by the serjeant and his men, he immediately came up to them. The serjeant demanded what he did there, told him he was his prisoner, and ordered him to return and join his regiment. Sir, said Patrick, I beg your pardon, but I don't think it possible for me to obey you at present. The serjeant repeated his orders in a very peremptory stile. Patrick still assured him of the great improbability of his being able to comply with the command; but told him, as it was not absolutely certain, he would see what could be done about it. You must know, said he, that we determine every thing here by a vote—and turning to his company, which had by this time came up,

—gentlemen, says he, if it be your mind that I should leave the town and return to my regiment, please to manifest it. Not a single hand appeared in favor of the motion. He then desired that those who were contrary-minded should manifest it, which passed *nem. con.* The serjeant and his men, finding themselves in so small a minority, and seeing it in vain to oppose the general voice of the meeting, were about to return again in peace, when one or two of his men were desirous to have it put to vote whether they should not stay also. Patrick, as moderator, immediately put the question, which it was not difficult to carry in such an assembly, and the serjeant, knowing it vain to resist, returned with six men to his regiment.

*Richard Cranch, esq. to Mr. Adams, dated Boston; Oct. 15, 1774. [Extract.]*

"I hear that a letter from one P——, a clergyman in Connecticut, has been intercepted, and that an attested copy of it is now before our congress. The contents of it are very extraordinary—he informs the person to whom it is addressed, that he has received advice that several regiments more from England, and a number of men of war, are expected, and that when they arrive, *hanging work will begin*,—and that those only will be safe whose *lintels and door posts shall be sprinkled*. Our ministers in this province put up their ardent petitions in public for the direction and blessing of heaven on your congress."

*Dr. Samuel Cooper to Mr. Adams, dated 16th Oct. 1774.*

"Having just been informed that Mr. Tudor is going to Philadelphia, I take this opportunity to thank you for the obliging favor of your letter of 29th September. The struggle, as you justly observe, between fleets and armies and commercial regulations, must be very unequal. We hope, however, the congress will carry this mode of defence as far as it will go, and endeavor to render it as early effectual as it can be, since the operation of it must necessarily be slow—were we at ease we would wait—but being first seized and griped by the merciless hand of power, we are "tortured even to madness," and yet, perhaps, no people would give a greater example of patience and firmness, could the people be sure of the approbation and countenance of the continent; in consolidating themselves in the best manner they are able, they should have, they say, fresh spirits to sustain the conflict. The report of an uncommon large quantity of British goods sent to New York and Philadelphia, naturally carries our thoughts to a non-consumption—

Nothing could more thoroughly embarrass these selfish importers, and none ever deserved more such a punishment.

Our provincial congress is assembled; they adjourned from Concord to Cambridge. Among them and through the province the spirit is ardent. And I think the inhabitants of this town are distracted to remain in it with such formidable fortifications at its entrance. Besides the regiments expected from the southward and Canada, we have several companies from Newfoundland, of which we had no apprehension until they arrived. The tories depend that the administration will push their point with all the force that they can spare, and this I think we ought to expect and take into our account.

Several of the volumes of the WEEKLY REGISTER are enriched by the correspondence of Mr. ADAMS. His letters to the editor, enclosing his communications to Mr. Wirt, (the elegant author of the "Sketches" of the famous Patrick Henry, of Virginia) inserted in the 14th vol. page 257, *et seq.* are highly interesting. Mr. Wirt had claimed for Mr. Henry the declaration "WE MUST FIGHT," which Mr. Adams says was derived from a letter which he himself had shewn to Mr. Henry, written by major Hawley, of Northampton, Mass. in 1774. The following, as connected with this subject, cannot fail of exciting the most pleasant feelings in those who delight to trace the first dawns of our glorious revolution.

EDITOR.

*Extract of a letter from president ADAMS to H. Niles, dated Quincy, Feb. 5, 1819.*

"Dear sir,—I enclose you the "broken hints to be communicated to the committee of congress for the Massachusetts," by major Joseph Hawley, of Northampton.

*This is the original paper that I read to Patrick Henry in the fall of the year 1774, which produced his rapturous burst of approbation, and solemn asseveration "I AM OF THAT MAN'S MIND."*

I pray you to send it back to me. I would not exchange this original for the show book of Harvard college, and printed it shall be at my own expense in a hand-bill."

*Broken hints to be communicated to the committee of congress for the Massachusetts.*

"We must fight, if we can't otherwise rid ourselves of British taxation, all revenues, and the con-

stitution or form of government enacted for us by the British parliament. It is evil against right—utterly intolerable to every man who has any idea or feeling of right or liberty.

It is easy to demonstrate that the regulation act will soon annihilate every thing of value in the charter, introduce perfect despotism, and render the house of representatives a mere form and ministerial engine.

It is now or never, that we must assert our liberty. Twenty years will make the number of tories on this continent equal to the number of whigs. They who shall be born will not have any idea of a free government.

It will necessarily be a question, whether the new government of this province shall be suffered to take place at all,—or whether it shall be immediately withstood and resisted?

A most important question this—I humbly conceive it not best forcibly or wholly to resist it, immediately.

There is not heat enough yet for battle. Constant, and a sort of negative resistance of government, will increase the heat and blow the fire. There is not military skill enough. That is improving, and must be encouraged and improved, but will daily increase.

Fight we must finally, unless Britain retreats.

But it is of infinite consequence that victory be the end and issue of hostilities. If we get to fighting before necessary dispositions are made for it, we shall be conquered, and all will be lost forever.

A certain clear plan, for a constant, adequate and lasting supply of arms and military stores, must be devised and fully contemplated. This is the main thing. This, I think, ought to be a capital branch of the business of congress—to wit: to devise and settle such a plan; at least, clearly to investigate how such supplies can be extensively had in case of need. While this is effecting—to wit: while the continent is providing themselves with arms and military stores, and establishing a method for a sure and unfailing and constant supply, I conceive we had best to negotiate with Britain. If she will cede our rights and restore our liberties, all is well—every good man will rejoice: if she will not agree to relinquish and abolish all American revenues, under every pretence and name, and all pretensions to order and regulate our internal policy and constitution—then, if we have got any

\* See Weekly Register, vol. XIV, page 258.

constant and sufficient supply of military stores; it will be time to take to arms. I can't quit this head—it ought to be immediately and most seriously attended to. It can't be any other than madness to commence hostilities before we have established resources on a sure plan for certain and effectual military supplies. Men, in that case, will not be wanting.

But what considerate man will ever consent to take arms and go to war, where he has no reasonable assurance but that all must be given over and he fall a prey to the enemy, for want of military stores and ammunition, in a few weeks?

Either an effectual non-consumption agreement or resistance of the new government, will bring on hostilities very soon.

1. As to a non-consumption agreement—it appears to me that it ought to be taken for certain truth, that no plan of importation or consumption of tea, British goods in general, or enumerated articles, which is to rest and depend on the virtue of all the individuals, will succeed; but must certainly prove abortive.

The ministry may justly call such a plan futile—futile it will turn out. A plan of that sort may safely rest and be founded on the virtue of the majority: but then the majority, by the plan, must be directed to control the minority, which implies force. The plan, therefore, must direct and prescribe how that force shall be exercised.

Those, again, who exercise that force, under the direction and by order of the majority, must by that majority be defended and indemnified.

Dispositions must therefore necessarily be made to resist or overcome that force which will be brought against you—which will directly produce war and bloodshed.

From thence it follows, that any other non-consumption or non-importation plan, which is not perfectly futile and ridiculous, implies hostilities and war.

2. As to the resistance of the new government, that also implies war: for, in order to resist and prevent the effect of the new government, it is indispensably necessary that the charter government, or some other, must be maintained—constitutionally exercised and supported.

The people will have some government or other—they will be drawn in by a seeming mild and just administration, which will last awhile; legislation

and executive justice must go on in some form or other, and we may depend on it they will;—therefore the new government will take effect until the old is restored.

The old cannot be restored until the council take on them the administration, call assemblies, constitute courts, make sheriffs, &c. The council will not attempt this without good assurance of protection. This protection can't be given without hostilities.

Our salvation depends upon an established persevering union of the colonies.

The tools of administration are using every device and effort to destroy that union, and they will certainly continue so to do—

Thereupon, all possible devices and endeavors must be used to establish, improve, brighten and maintain such union.

Every grievance of any one colony must be held and considered by the whole as a grievance to the whole, and must operate on the whole as a grievance to the whole. This will be a difficult matter to effect: but it must be done.

Quere, therefore—whether is it not absolutely necessary that some plan be settled for a continuation of congresses?—But here we must be aware that congresses will soon be declared and enacted by parliament to be high treason.

Is the India company to be compensated or not? If to be compensated—each colony to pay the particular damage she has done, or is an average to be made on the continent?

The destruction of the tea was not unjust—therefore to what good purpose is the tea to be paid for, unless we are assured that, by so doing, our rights will be restored and peace obtained?

What future measures is the continent to preserve with regard to imported dutied tea, whether it comes as East India property or otherwise, under the pretence and lie that the tea is imported from Holland, and the goods imported before a certain given day? Dutied tea will be imported and consumed—goods continue to be imported—your non-importation agreement eluded, rendered contemptible and ridiculous—unless all teas used, and all goods, are taken into some public custody which will be inviolably faithful.”

[The foregoing is a literal copy of the venerable paper before me, except its frequent abbreviations of *the* and *that*, with the addition only of a few commas, &c. to make it read.]



## BATTLE OF LEXINGTON.

*Billerica, Mass. 16th June, 1819.*

SIR—From having lately seen some notice in the papers, of your wish to obtain the names of those who destroyed the tea in Boston harbor, in December, 1773,\* I was led to believe that the names of those patriotic citizens, who fell in the defence of their just privileges, on the nineteenth of April, 1775, might be also acceptable and as worthy of being perpetuated. As they were the first who fell in the revolutionary contest—as they fell not in the act of desolating an unoffending country and in multiplying the miseries of their fellow men to gain laurels—but in resisting the ravages of an invading enemy, they are entitled to grateful recollection, to honorable distinction. I have, therefore, enclosed you a list of the names of those who were killed on that memorable day. It has been principally collected from a narrative of the excursion and ravages of the king's troops, under the command of general Gage on the 19th April, 1775, to which I have added a few notes, which are derived from other authentic sources.

With sentiments of respect, your most obedient servant,

JOHN FARMER.

*To H. Niles.*

*A list of the provincials who were killed in the action of the 19th April, 1775, and the towns to which they respectively belonged.*

*Acton.* Capt Isaac Davis, Abner Hosman, James Hayward.

*Bedford.* Capt. Jonathan Wilson.

*Beverly.* Mr. Kynnim.

*Brookline.* Isaac Gardner,† esq.

*Cambridge.* William Mercy, Moses Richardson, John Hicks, Jason Russell, Jabez Wyman and Jason Winship.

*Charlestown.* James Miller,‡ Edward Barber.‡

*Danvers.* Henry Jacobs, Samuel Cook, Ebenezer Goldthwait, George Southwick, Benjamin Daland, jun. Jotham Webb, and Perly Putnam.

\*See the letter of president ADAMS to H. Niles, May 10, 1819—WEEKLY REGISTER vol. XV, p. 220.

†He had volunteered his services, and was killed on the return of the troops to Boston. He was born at Brookline, 9th May, 1726, and graduated at Harvard college in 1747. "In his domestic, social, civil and religious capacity he was equally beloved and respected. The melancholy circumstance of his death excited great public sensibility as well as private lamentation and regret."

Rev. Mr. Pierce's Hist. Brookline.

‡James Miller was 66 years of age.

‡Aged 16, son of capt. William Barber of Charlestown.

*Dedham.* Elias Haven.

*Lexington.* Jonas Parker, Robert Monroe, Jedidiah Monroe, John Raymond, Samuel Hadley, Jonathan Harrington, jun. Isaac Muzzy, Caleb Harrington, Nathaniel Wyman, and John Brown\*

*Lynn.* Abednego Ramsdell, Daniel Townsend, William Flynt, and Thomas Hadley.

*Medford.* Henry Putnam and William Polley.

*Needham.* Lieut. John Bacon, Sergeant Elisha Mills, Amos Mills, Nathaniel Chamberlain, Jonathan Parker.

*Salem.* Benjamin Pierce.

*Sudbury.* Josiah Haynes,† Asahel Reed.

*Watertown.* Joseph Cooledge.

*Woburn.* Asa Parker and Daniel Thompson.

All who were killed belonged to Massachusetts.

The Americans had 49 killed

34 wounded

4 missing

—

87 Total.

The British loss, in killed, wounded and missing was 273.

With regard to the *Indians* who destroyed the three cargoes of tea in the harbor of Boston, I have met with a slight notice that confirms the remark of president Adams, that "they were no ordinary Mohawks." It is in the Historical Sketch of Charlestown, by the hon. Joseph Bartlett, M. D. in which he says, that E. N. (giving only the initials) a respectable inhabitant of that town, had repeatedly informed him that he was among the *Indians* who destroyed the tea. J. F.

## THE "MOHAWK INDIANS."

*Hanover, N. H. June 22, 1819.*

*Mr. Niles—*

SIR—Seeing a notice or a letter addressed to president Adams from you, I take the liberty of giving you the information, in part, you wish.

My father, Anthony Morse, afterwards a lieutenant during the revolutionary war, but since deceased, and Mr. Joseph Roby, now of this town, were the most active in destroying the tea in Boston harbor. Mr. Roby thinks there is but one or two now surviving besides himself.

I am, sir, yours with esteem,

LEWIS R. M. MORSE.

\*A monument is erected in Lexington to the memory of the eight first, who fell on the morning of the 19th.

†Mr. Haynes was an officer of the church.

MR. ADAMS TO GOVERNOR BULLOCK.

PHILADELPHIA, July 1, 1776.

DEAR SIR—Two days ago I received your favor of May 1st.—I was greatly disappointed, sir, in the information you gave me, that you should be prevented from revisiting Philadelphia. I had flattered myself with hopes of your joining us soon, and not only affording us the additional strength of your abilities and fortitude, but enjoying the satisfaction of seeing a temper and conduct here, somewhat more agreeable to your wishes, than those which prevailed when you were here before. But I have since been informed, that your countrymen have done themselves the justice to place you at the head of their affairs, a station in which you may perhaps render more essential service to them, and to America, than you could here.

There seems to have been a great change in the sentiments of the colonies since you left us, and I hope that a few months will bring us all to the same way of thinking.

This morning is assigned for the greatest debate of all—A declaration, that these colonies are free and independent states, has been reported by a committee, appointed some weeks ago for that purpose, and this day, or to-morrow, is to determine its fate.—May Heaven prosper the new born republic, and make it more glorious than any former republics have been!

The small-pox has ruined the American army in Canada, and of consequence the American cause. A series of disasters has happened there, partly owing I fear to the indecision at Philadelphia, and partly to the mistakes or misconduct of our officers in that department. But the small-pox, which infected every man we sent there, completed our ruin, and compelled us to evacuate that important province.—We must, however, regain it some time or other.

My countrymen have been more successful at sea, in driving away all the men of war completely out of Boston harbor, and in making prizes of a great number of transports and other vessels.

We are in daily expectation of an armament before New-York, where, if it comes, the conflict must be bloody. The object is great which we have in view, and we must expect a great expense of blood to obtain it. But we should always remember, that a free constitution of civil government cannot be purchased at too dear a rate, as

there is nothing, on this side the new Jerusalem, of equal importance to mankind.

It is a cruel reflection, that a little more wisdom, a little more activity, or a little more integrity, would have preserved us Canada, and enabled us to support this trying conflict, at a less expense of men and money. But irretrievable miscarriages ought to be lamented no farther, than to enable and stimulate us to do better in future.

Your colleagues, Hall and Gynn, are here in good health and spirits, and as firm as you yourself could wish them. Present my compliments to Mr. Houston. Tell him, the colonies will have republics for their governments, let us lawyers, and your\* divine, say what we will.

I have the honor to be, with great esteem and respect, sir, your sincere friend and most humble servant,

JOHN ADAMS.

*His excellency*

*Archibald Bullock, esq. of Georgia.*

MR. ADAMS TO MR. CHASE.

PHILADELPHIA, July 1, 1776.

DEAR SIR—Your favor by the post this morning gave me much pleasure, but the generous and unanimous vote of your convention gave me much more. It was brought into congress this morning, just as we were entering on the great debate.—That debate took up most of the day, but it was an idle mispense of time, for nothing was said, but what had been repeated and hackneyed, in that room, before, an hundred times, for six months past.

In the committee of the whole, the question was carried in the affirmative, and reported to the house.—A colony desired it to be postponed until to-morrow, when it will pass by a great majority, perhaps with almost unanimity, yet I cannot promise this, because one or two gentlemen may possibly be found, who will vote point blank against the known and declared sense of their constituents. Maryland, however, I have the pleasure to inform you, behaved well.—Paca, generously and nobly.

Alas, Canada! we have found misfortune and disgrace in that quarter—Evacuated at last—transports arrived at Sandy-Hook, from whence we may expect an attack in a short time, upon New-York or New-Jersey—and our army not so strong as we could wish. The militia of New-Jersey and New England, not so ready as they ought to be.

\*Zubly.

The Romans made it a fixed rule never to send or receive ambassadors, to treat of peace with their enemies, while their affairs were in an adverse or disastrous situation. There was a generosity and magnanimity in this, becoming freemen. It flowed from that temper and those principles which alone can preserve the freedom of a people. It is a pleasure to find our Americans of the same temper. It is a good symptom, foreboding a good end.

If you imagine that I expect this declaration will ward off calamities from this country, you are mistaken. A bloody conflict we are destined to endure.—This has been my opinion from the beginning. You will certainly remember my decided opinion was, at the first congress, when we found that we could not agree upon an immediate non-exportation, that the contest could not be settled without bloodshed, and that if hostilities should once commence, they would terminate in an incurable animosity between the two countries. Every political event since the 19th of April, 1775, has confirmed me in this opinion.

If you imagine that I flatter myself with happiness and halcyon days, after a separation from Great Britain, you are mistaken again. I don't expect that our new governments will be so quiet as I could wish, nor that happy harmony, confidence, and affection, between the colonies, that every good American ought to study, labor, and pray for, for a long time. But freedom is a counterbalance for poverty, discord, and war, and more. It is your hard lot and mine to be called into life, at such a time;—yet even these times have their pleasures.

I am your friend and servant,

JOHN ADAMS.

Mr. Chase.

FROM A LATE BOSTON PAPER.

*Two letters from president ADAMS, written, one in the morning, the other in the evening, of the 3d July, 1776.*

Mr. Editor—Some years ago, having seen in your paper a brilliant paragraph from a letter of the hon. John Adams to a friend—not, however, for the first time, it having appeared before on many a fourth of July—I was curious to learn from its venerable author who was that friend, and also such anecdotes concerning the subject of the letter, as he might be willing to communicate. He gratified my curiosity, with his accustomed energy, on a transaction in which he had taken so distinguished a part. After the death of Mrs. Adams, the accomplished friend to whom the letter was

addressed, he was pleased to send me a copy of it, and of another written to her on the same third of July. It is probable that, after the loss of such a companion, a review of their epistolary correspondence brought to his recollection the enquiries I had made, and the subsequent conversation, though years had elapsed. These letters I present to the public, but not without permission; believing that they will be read with much interest on the forty-third anniversary of the grand event which they announced.

THOMAS DAWES.

Boston, July 3, 1819.

PHILADELPHIA, July 3, 1776.

Your favor of June 17, dated at Plymouth, was handed me yesterday by the post. I was much pleased to find that you had taken a journey to Plymouth to see your friends, in the long absence of one whom you may wish to see. The excursion will be an amusement, and will serve your health. How happy would it have made me to have taken this journey with you!

I was informed, a day or two before the receipt of your letter, that you was gone to Plymouth, by Miss. P. who was obliging enough to inform me, in your absence, of the particulars of the expedition to the Lower Harbor, against the men of war.—Her narration is executed with a precision and perspicuity which would have become the pen of an accomplished historian.

I am very glad you had so good an opportunity of seeing one of our little American men of war. Many ideas, new to you, must have presented themselves in such a scene; and you will in future better understand the relations of a sea engagement.

I rejoice extremely in Dr. Bulfinch's petition for leave to open an Hospital. But I hope the business will be done upon a larger scale. I hope that one Hospital will be licensed in every county, if not in every town. I am happy to find you resolved to be with the children in the first class. Mr. W. and Mrs. Q. are cleverly through inoculation in this city.

I have one favor to ask, and that is, that in your future letters you would acknowledge the receipt of all those you may receive from me, and mention their dates; by this means I shall know if any of mine miscarry.

The information you give me of our friend's refusing his appointment, has given me much pain, grief, and anxiety. I believe I shall be obliged to

follow his example. I have not fortune enough to support my family, and, what is of more importance, to support the dignity of that exalted station.\* It is too high and lifted up for me, who delight in nothing so much as retreat, solitude, silence, and obscurity. In private life, no one has a right to censure me for following my own inclinations in retirement, in simplicity, and frugality; but in public life every man has a right to remark as he pleases; at least he thinks so.

Yesterday the greatest question was decided which ever was debated in America; and a greater, perhaps, never was or will be decided among men. A resolution was passed, without one dissenting colony:

"That these United Colonies are, and of right ought to be, *free and independent states*; and, as free and independent states, they have, and of right ought to have, full power to make war, conclude peace, establish commerce, and to do all other acts and things which other states may rightfully do."

You will see, in a few days, a declaration, setting forth the causes which have impelled us to this revolution, and the reasons which will justify it in the sight of God and man. A plan of confederation will be taken up in a few days.

When I look back to the year 1761, and recollect the argument concerning writs of assistance, in the superior court, which I have hitherto considered as the commencement of the controversy between Great Britain and America, and run through the whole period from that time to this, and recollect the series of political events, the chain of causes and effects, I am surprised at the suddenness as well as greatness of this revolution.

Britain has been filled with folly, and America with wisdom; at least this is my judgment—time must determine. It is the will of Heaven that the two countries should be sundered forever. It may be the will of Heaven that America shall suffer calamities still more wasting, and distresses still more dreadful. If this is to be the case, it will have this good effect at least, it will inspire us with many virtues which we have not, and correct many errors, follies, and vices, which threaten to disturb, dishonor, and destroy us. The furnace

\*Office of chief justice of the superior court of Massachusetts, to which Mr. Adams had been appointed, but which he declined, preferring his seat in the old congress, to which he had been re-elected.

of affliction produces refinement in states as well as individuals. And the new governments we are assuming in every part, will require a purification from our vices, and an augmentation of our virtues, or they will be no blessings. The people will have unbounded power; and the people are extremely addicted to corruption and venality, as well as the great. I am not without apprehensions from this quarter; but I must submit all my hopes and fears to an overruling Providence, in which, unfashionable as it may be, I firmly believe.

JOHN ADAMS.

Mrs. Adams.

PHILADELPHIA, July 3, 1776.

Had a declaration of independence been made seven months ago, it would have been attended with many great and glorious effects. We might, before this hour, have formed alliances with foreign states. We should have mastered Quebec, and been in possession of Canada.

You will, perhaps, wonder how such a declaration would have influenced our affairs in Canada; but, if I could write with freedom, I could easily convince you that it would, and explain to you the manner how. Many gentlemen in high stations, and of great influence, have been duped, by the ministerial bubble of commissioners, to treat; and, in real, sincere expectation of this event, which they so fondly wished, they have been slow and languid in promoting measures for the reduction of that province. Others there are in the colonies, who really wished that our enterprize in Canada would be defeated; that the colonies might be brought into danger and distress between two fires, and be thus induced to submit. Others really wished to defeat the expedition to Canada, lest the conquest of it should elevate the minds of the people too much to hearken to those terms of reconciliation which they believed would be offered us. These jarring views, wishes, and designs, occasioned an opposition to many salutary measures which were proposed for the support of that expedition, and caused obstructions, embarrassments, and studied delays, which have finally lost us the province.

All these causes, however, in conjunction, would not have disappointed us, if it had not been for a misfortune which could not have been foreseen, and perhaps could not have been prevented—I mean the prevalence of the small-pox among our troops. This fatal pestilence completed our destruction. It is a frown of Providence upon us, which we ought to lay to heart.

But, on the other hand, the delay of this Declaration to this time has many great advantages attending it. The hopes of reconciliation, which were fondly entertained by multitudes of honest and well meaning, though short-sighted and mistaken people, have been gradually, and at last totally, extinguished. Time has been given for the whole people maturely to consider the great question of independence, and to ripen their judgment, dissipate their fears, and allure their hopes, by discussing it in newspapers and pamphlets—by debating it in assemblies, conventions, committees of safety and inspection—in town and county meetings, as well as in private conversations; so that the whole people, in every colony, have now adopted it as their own act. This will cement the union, and avoid those heats, and perhaps convulsions, which might have been occasioned by such a declaration six months ago.

But the day is past. The second day of July, 1776, will be a memorable epocha in the history of America. I am apt to believe that it will be celebrated by succeeding generations, as the great Anniversary Festival. It ought to be commemorated, as the day of deliverance, by solemn acts of devotion to God Almighty. It ought to be solemnized with pomp, shews, games, sports, guns, bells, bon-fires and illuminations, from one end of the continent to the other, from this time forward forever.

You will think me transported with enthusiasm; but I am not. I am well aware of the toil, and blood, and treasure, that it will cost us to maintain this declaration, and support and defend these states. Yet, through all the gloom, I can see the rays of light and glory; I can see that the end is more than worth all the means, and that posterity will triumph, although you and I may rue, which I hope we shall not.

Mrs. Adams.

JOHN ADAMS.

The following letter was not intended for publication, but we cannot resist a desire we feel—for reasons which will be obvious to the reader—to record the document in our files; and apologize to our fellow-citizens for the liberty we have taken.

Quincy, February 16, 1819.

Respected and beloved Judge Dawes:

Inclosed are copies of two letters written by me to my wife, one in the morning, the other in the evening of the 3d July, 1776, the day after the vote of independence was passed in congress.

An extract of one of them has been published in the newspapers. Once on a time, upon my stony field hill, you interrogated me concerning that extract, in so particular a manner, that I thought you felt a tincture of pyrrhonism concerning its authenticity. If you have still any doubts, I will show you the original letters, in my hand writing, whenever you will do me the honor of a visit to Quincy. In those days, my principal correspondent was my wife, who was then surrounded by many of the principal politicians of the age, such as general James Warren, of Plymouth, and his lady; Dr. Cotton Tufts, of Weymouth; my brother Richard Cranch, of Braintree, and gen. Joseph Palmer, of Germantown, and many others, who were constantly enquiring of her the news from congress. Whatever related merely to public affairs, she read to them, or suffered them to read.

I am, sir, with perfect esteem and sincere affection, your friend and humble servant,

JOHN ADAMS.

Judge Dawes.

COL. LEDYARD—NEW LONDON, &c.

LETTER TO THE EDITOR.

*M<sup>r</sup>. Niles.*—The following scrap of history is recorded on a head stone at the grave of colonel LEDYARD, half a mile S. E. of Fort Griswold, or Groton, Con. as a public monument of the character of the cause, the actors and the act. Col. Ledyard was run through *with his own sword*, by a British captain to whom he had surrendered it, and most of the garrison were murdered after they had grounded their arms. Those who survived saved themselves by embracing the British soldiers in such a manner that they could not bayonet them. The wounded were put into a waggon and precipitated down the steep hill which elevates the fort above the river.

SACRED TO THE MEMORY

OF

WILLIAM LEDYARD, esq.

"Colonel commandant of the garrisoned posts of  
" New London and Groton, who, after a gallant defence, was, with a large part of the brave garrison,  
" inhumanly massacred by British troops in fort Griswold, September 6th, 1781, Aet. suæ 43. By a  
" judicious and faithful discharge of the various  
" duties of his station, he rendered most essential  
" services to his country, and stood confessed  
" the unshaken patriot, and intrepid hero. He lived  
" the pattern of magnanimity, courtesy and humanity: He fell the victim ungenerous of rage and  
" cruelty!"

"There is a white stone inscribed—SACRED TO THE MEMORY of captain JNO. WILLIAMS, who fell gloriously fighting for the liberty of his country in fort Griswold, September, 6th 1781, in the 43d year of his age."

"On another stone is the inscription—SACRED TO THE MEMORY of lieut. EBENEZER AVERY, who fell gloriously fighting in defence of fort Griswold and American freedom, September 6th, 1781, in the 42d year of his age."

"ONE RENAGADO IS WORSE THAN TEN TURKS."

To complete the history of this horrible transaction, and further to disseminate a knowledge of the infamy of *Arnold* and give up the butchering traitor to the execration of posterity—we extract the following account of the massacre from Gordon's history, New-York edit. vol. III. page 249.\*

"The return of gen. Arnold to New-York from Virginia, did not fix him in a state of inactivity. He was sent on an enterprize against New London, with a sufficient land and marine force.—The embarkation having passed over from Long Island shore in the night, the troops were landed in two detachments on each side of the harbor, at ten o'clock in the morning of the 6th of September;

\*In speaking of *Arnold*, it may be useful to observe that *Washington* offered to exchange *Andre* for him, which sir Henry Clinton declined. Never were the sympathies of the American people so much misled as in the case of the unfortunate *Andre*. He was engaged in a most vile business—the meanest that can be imagined for an honorable man, the perfection of an act of corruption and treason, and justly merited his fate; if he had had ten thousand lives, they were all justly forfeited by the laws of honor as well as to those of war, and every principle of self-preservation. Had he not been put to death, the great *Washington*, himself, would at least have merited a dismissal from the command of the revolutionary army. But it is well known that the private feelings of the illustrious father of his country were greatly excited in favor of that unlucky young man—I say unlucky, because if he had succeeded he would have been praised and rewarded for his gallantry, dexterity, &c. He failed—and instead of being a hero became a culprit, in the estimation of every reflecting man. No personal accomplishments or private character can palliate a public act of shame—they rather aggravate the offence; and an agency in an act of villainy entitles the agent to the villain's fare. Yet he was treated with all possible courtesy and kindness, and had all the intercourse with his friends which the nature of his condition admitted of. How different the conduct of the British to captain *Nathan Hale*—an American, whose character, in any and every light, was comparable with that of *Andre*, a sketch of whose case may be found in the *WEEKLY REGISTER*, vol. II. page 129.]

Edron.

that on the Groton side being commanded by lieut. col. Eyre, and that on the New London side by the general, who met no great trouble. Fort Trumbull and the redoubt, which were intended to cover the harbor and town, not being tenable, were evacuated as he approached, and the few men in them crossed the river to fort Griswold, on Groton-Hill. Arnold proceeded to the town without being otherwise opposed than by the scattered fire of small parties that had hastily collected. Orders were sent by the general to Eyre for attacking fort Griswold, that so the possession of it might prevent the escape of the American shipping. The militia, to the amount of 157, collected for its defence, but so hastily as not to be fully furnished with fire arms and other weapons. As the assailants approached, a firing commenced, and the flag-staff was soon shot down, from whence the neighboring spectators inferred, that the place had surrendered, till the continuance of the firing convinced them to the contrary. The garrison defended themselves with the greatest resolution and bravery; Eyre was wounded near the works, and major Montgomery was killed immediately after, so that the command devolved on major Broomfield. The British at one time staggered; but the fort being out of repair, could not be maintained by a handful of men against so superior a number as that which assaulted it. After an action of about 40 minutes, the resolution of the royal troops carried the place by the point of the bayonet. The Americans had not more than half a dozen killed before the enemy entered the fort, when a severe execution took place, though resistance ceased. The British officer enquired, on his entering the fort, who commanded? colonel Ledyard answered—"I did, sir, but you do now;" and presented him his sword. The colonel was immediately run through and killed. The slain were 73; the wounded between 30 and 40, and about 40 were carried off prisoners. Soon after reducing the fort, the soldiers loaded a waggon with the wounded, as said, by order of their officers, and set the waggon off from the top of the hill, which is long and very steep; the waggon went a considerable distance with great force, till it was suddenly stopt by an apple tree, which gave the faint and bleeding men so terrible a shock that part of them died instantly. About fifteen vessels, with effects of the inhabitants, retreated up the river, notwithstanding the reduction of the fort, and four others remained in the harbor unhurt; a number were burnt by the fire's communicating from the stores when in flames. Sixty dwelling houses

and 84 stores were burned, including those on both sides of the harbor and in New London. *The burning of the town was intentional and not accidental.* The loss that the Americans sustained in this destruction was very great; for there were large quantities of naval stores, of European goods, of East and West India commodities, and of provisions in the several stores. The British had two commissioned officers and 46 privates killed; eight officers (some of whom are since dead) with 135 non-commissioned and privates wounded."

*Petition of the native Americans residing in London to his Britannic majesty, in 1774.*

FROM THE BOSTON PATRIOT.

Messrs. EDITORS:—Having recently been employed in searching for old records, I met with a manuscript copy of the following petition of a number of native Americans, who were then in London, to his Britannic majesty, in the year 1774. If you think it sufficiently interesting to publish, you are at liberty to do it. Among the number of signers is the late *Arthur Lee*, of Virginia, a gentleman whose life and character seem to be but little known at the present day, although he was one of the firmest patriots of the revolution, and his services, though not conspicuous, yet were eminently beneficial to the cause he had espoused.

It will be remembered, that the bills there alluded to are the last of the series of those acts of the British parliament which produced a crisis, and were the immediate cause of the war of the revolution:

*To the king's most excellent majesty.*

The petition of several natives of America, most humbly sheweth:

That your petitioners, being your majesty's most faithful subjects, are obliged to implore your gracious interposition, to protect them in the enjoyment of those privileges which are the right of all your people.

Your majesty's petitioners have already seen, with unspeakable grief, their earnest prayers rejected, and heavy penalties inflicted, even on the innocent among their countrymen, to the subversion of every principle of justice, without their being heard. By this alarming procedure all property was rendered insecure; and they now see in two bills (for altering the government of the Massachusetts-Bay, and the impartial administration of justice there) the intended subversion of the two other grand objects

of civil society and constitutional protection, to wit, *liberty and life.*

Your petitioners most humbly represent to your majesty, that, to destroy or assume their chartered rights, without a full and fair hearing, with legal proof of forfeiture, and the abrogating of their most valuable laws, which had duly received the solemn confirmation of your majesty's royal predecessors, and were thence deemed unchangeable, without the consent of the people, is such a proceeding as renders the enjoyment of every privilege they possess totally uncertain and precarious. That an exemption of the soldiery from being tried in the Massachusetts-Bay, for murder or other felony, committed upon your majesty's subjects there, is such an encouragement to licentiousness and incentive to outrage, as must subject your majesty's liege people to continued danger.

Your petitioners and their countrymen have been ever most zealously attached to your majesty's person and family. It is therefore with inexpressible affliction that they see an attempt, in these proceedings against them, to change the principle of obedience to government, from the love of the subject towards their sovereign, founded on the opinion of his wisdom, justice and benevolence, into the dread of absolute power and laws of extreme rigor, unsupportable to a free people.

Should the bills above-mentioned receive your royal sanction, your majesty's faithful subjects will be overwhelmed with grief and despair.

It is therefore our most earnest prayer that your majesty will be graciously pleased to suspend your royal assent to the said bills.

And your petitioners, &c.

Stephen Sayre,	William H. Gibbs,
William Lee,	William Blake,
Arthur Lee,	Isaac Motte,
Edmund Jenings,	Henry Lawrence,
Joshua Johnson,	Thomas Pinckney,
Daniel Bowley,	John T. Grimpke,
Benjamin Franklin,	Jacob Reade,
Thomas Buston,	Philip Neyle,
Edward Bancroft,	Edward Fenwicke,
Thomas Bromfield,	Edward Fenwicke, jr.
John Boylston,	John Peroneauf,
John Ellis,	William Middleton,
John Williams,	William Middleton, jr.
John Alleyne,	Ralph Irard, jr.
Ralph Irard,	William Heyward.

### British in Philadelphia.

A much valued friend placed in the hands of the editor a large volume of papers, containing the correspondence of brig. gen. LACEY, of Pennsylvania, who commanded the militia stationed on the east side of the Schuylkill, to watch the motions of the enemy and prevent his obtaining supplies, during the period at which he occupied Philadelphia.

This volume contains a great deal of curious matter—though not much of it seems to come within the prospectus of this work. Such articles follow as may serve to shew the spirit and necessities of the times.

*Gen. Washington to gen. Lacey—dated at Valley Forge, Jan. 23, 1778. [Extract.]* "I am well informed that many persons, under pretence of furnishing the inhabitants of Germantown, and near the enemy's lines, afford immense supplies to the Philadelphia markets—a conduct highly prejudicial to us and contrary to every order. It is therefore become proper to make an example of some guilty one, that the rest may expect a like fate, should they persist. This I am determined to put in execution; and request you, when a suitable object falls into your hands, that you will send him here with the witnesses; or let me know his name—when you shall have power to try, and if proved guilty, to execute. This you will be pleased to make known to the people, that they may again have warning."

*From the same, dated Feb. 8, 1778. [Extract.]* "The communication between the city and country, in spite of every thing hitherto done, still continuing, and threatening the most pernicious consequences, I am induced to beg you will exert every possible expedient to put a stop to it. In order to this, to excite the zeal of the militia under your command, and make them more active in their duty, I would have you let every thing taken from persons going into and coming out of the city, redound to the benefit of the parties who take them. At the same time, it will be necessary to use great precaution to prevent an abuse of this privilege; since it may otherwise be made a pretext for plundering the innocent inhabitants. One method to prevent this will be, to let no forfeiture take place but under the eye and with the concurrence of some commissioned officer.

Any horses captured in this manner, fit for the public service, either as light or draught horses, must be sent to camp to the quarter master general, who will be directed to pay the value of them to the captors."

*Gen. Lacey to the council of Pennsylvania—dated Warwick, Bucks, Feb. 15, 1778. [Extracts.]* "My force is reduced almost to a cypher. Only sixty remain fit for duty in camp. With this number, you must of course suppose that we are in no wise capable of guarding so extensive a country as this, nor even safe in our camp." [Gen. Lacey's force continually fluctuated—sometimes it amounted to several hundred; at other times it was wholly inefficient, and hardly exceeded fifty in all. At one moment he had several times more men than arms; at another, many times more arms than men. The militia were called out for short tours, and his command was a most perplexing one. The officers and men hardly knew each other before they separated.]

*On the 21st of Feb. 1778, gen. Washington orders the destruction or removal of certain quantities of hay, in places accessible to the enemy.*

*Gen. Washington to gen. Lacey, dated at Valley Forge, March 2, 1778. [Extracts.]* "I don't well know what to do with the great numbers of people taken going to Philadelphia. I have punished several severely, fined others heavily, and some are sentenced to be imprisoned during the war." He then expresses a wish that the state will take charge of them, punish them as criminals, or hold them to exchange "for those inhabitants lately taken from their families." But in a postscript adds, "If either or any of the persons now in your custody are such that you think are proper to make examples of, and you have sufficient evidence to convict them, send them over to me, with the witnesses, and I will have them immediately tried by a court martial."

*Gen. Lacey to the council, dated camp, near White Marsh, March 11, 1778. [Extract.]* "As soon as I approach within eight or ten miles of the enemy's lines, the inhabitants, having their horses concealed in bye-places, mount them, and taking their way through the fields and private paths, repair directly to the city, with the intelligence that the rebels are in the neighborhood. Not one word of intelligence can we procure from them,—not even the direction of the roads.

There are large sums of counterfeit money circulating in the lower part of Bucks and Philadelphia counties, which are brought out of the city by the market people."

*A letter from gen. Wayne to gen. Lacey, by order of gen. Washington, notifies gen. L. that he is directed "to collect and drive in all the cattle, horses*



and waggons, in the counties of Bucks and Philadelphia, likely to fall into the hands of the enemy, —especially the property of Tories.”

*Gen. Lacey's orders to his scouting parties, March 9, 1778. [Extract.]* “If your parties should meet with any people going to market, or any persons whatever going to the city, and they endeavor to make their escape, you will order your men to fire upon the villains. You will leave such on the roads —their bodies and their marketing lying together. This I wish you to execute on the first offenders you meet, that they may be a warning to others.”

*Gen. Washington to gen. Lacey, dated at Valley Forge, 20th March, 1778*—“Sunday next being the time on which the quakers hold one of their general meetings, a number of that society will probably be attempting to go into Philadelphia. This is an intercourse that we should by all means endeavor to interrupt, as the plans settled at these meetings are of the most pernicious tendency\*. I would therefore have you dispose of your parties in such a manner as will most probably fall in with these people, and if they should, and any of them should be mounted upon horses fit for draft or the service of light dragoons, I desire they may be taken from them, and sent over to the quarter-master general. Any such are not to be considered as the property of the parties who may seize them, as in other cases. Communicate the above orders to any of the officers who may command scouting parties on your side of the Schuylkill.

\*I was in much doubt whether I ought to publish or suppress this letter—but, on reflection, have thought it best to insert it. It must be admitted, that a great majority of the quakers in Pennsylvania, were “well inclined” to the British, and some of them went great lengths out of the rules of their profession to aid and comfort the enemy of their country; others, by adhering to those rules and refusing to take any part in the contest, even by the payment of taxes, were improperly suspected of disaffection, when in fact they were only neutral, refusing to have any thing to do with the war; a few, however, laid aside their testimony against fighting, and contended gallantly for freedom. Persons of this religious persuasion in some other states, were sincerely attached to the cause of independence, and did all that consistently they could do to assist the whigs. A stoppage of the intercourse with Philadelphia, at the time, was indubitably necessary and proper; but gen. Washington was misinformed, I apprehend, when he spoke of the “plans” settled at the meetings of the quakers —whatever they might have done as individuals, their “meetings” must have passed without the adoption of any plans of a political nature—for such things are not suffered to be mentioned in them.

EDITOR.

[*Gen. Lacey, in reply, says he had ordered out his horse to stop the quakers, with orders, “if they refused to stop when hailed, to fire into them, and leave their bodies lying in the road.”*]

[So great was the intercourse with Philadelphia, and so numerous the sufferings of the whigs in consequence of intelligence carried to the enemy, that an idea was entertained of removing all the people within fifteen miles of that city; but Washington said “the measure was rather desirable than practicable,” and preferred a rigid conduct towards “notorious characters,” who, he again directed, should be tried by courts martial. But in a letter of the 11th April, in consequence of a resolve of congress, he says “it will be needless to apprehend any more. If found going to Philadelphia with provisions, you may take that and their horses from them.”

*Gen. Green to gen. Lacey, dated Valley Forge, April 21, 1778.* The wife of maj. T. complains that some of your people have taken from her husband, one of their horses, which they are in want of to enable them to move up to Reading. I wish you to inquire into the matter, and if there is no capital offence, to order the beast to be delivered to the owner again. The war is a sufficient calamity under every possible restraint, but where people are influenced by avarice and private prejudice, they increase the distresses of the inhabitants beyond conception. Those evils can only be restrained by the generals, whose duty it is to protect the distressed inhabitants, as well as govern and regulate the affairs of the army. I hope you will pay particular attention to this affair, as the age and distress of the complainants appear to claim it.”

[In reply, gen. Lacey states that he finds the horse was taken by a person who “calls himself a volunteer, and has made a practice of riding with my parties.” He was called upon to answer for his conduct, and fresh instructions given not to molest the inhabitants “unless found favoring the enemy.”]

*Gen. Lacey surprised.* In a letter to gen. Washington, dated camp near Neshaminy bridge, York road, May 2, 1778, gen. Lacey gives an account of his being surprised by a superior force of the enemy, near the Crooked Billet, at day break on the preceding day, by the neglect of a lieut. whose duty it was to keep a look-out, which he neglected to do and was cashiered for it. Though the attack was wholly unexpected and very vigorous, Lacey made out to get his people embodied, and retreated fighting for upwards of two miles, when he reached a wood and extricated himself. He lost

thirty killed, and seventeen wounded. A number of the enemy were killed. We notice this affair to give the following extract from gen. Lacey's letter.

"Some [of his men] were butchered in the most savage and cruel manner—even when living, some were thrown into buck-wheat straw, and the straw set on fire. The clothes were burnt on others; and scarcely one left without a dozen wounds, with bayonets and cutlasses."

[These things are repeated, with additional particulars, in a letter to gen. Armstrong.]

Gen. Lacey was relieved by gen. Potter about the middle of May, 1778, but resumed his old station in the autumn of 1780, to collect troops, waggons, horses, &c. by order of the council of Pennsylvania. The following letter from president Reed may serve to shew the state of things, as to the subjects to which it relates—

To H. W.—, esq. Bucks county.—SIR—Having expressed myself so fully to you and Mr. T. upon the necessity of procuring a number of horses, I am not a little surprised that you should have discharged those that had been taken under the direction of gen. Lacey; and I cannot help considering it as adding to my embarrassments at a time when you gave me reason to expect assistance.

It is much to be wished that gentlemen in public office, who, from motives of compassion, or a fear of offending, cannot take part in these necessary measures, would on such occasions avoid any interference; and leave persons of more decision to proceed. The legislature having vested the power of declaring martial law in us, I apprehend you had not authority to counteract the orders given; which were to send such horses as were taken immediately down to this place, for the accommodation of the militia, about to march, agreeably to gen. Washington's order. It will be a great disappointment if they do not come down, and will throw us all in confusion. As Mr. T. and yourself, by my accounts, discharged all the horses, after taken, I must esteem you accountable for them. It is no season for such lax and indecisive measures, and you will probably ere long, if the enemy are not driven from the country, experience that tho' temporizing measures appear at first view easy and desirable, they are ruinous in the end. You have already done enough, and have properly enough, to make you an object of the vengeance of the enemy and their tory adherents; and if you do not se-

cure, yourself by your exertions, you have little to expect from their lenity or gratitude. I should not have [said this much if I did not feel myself much hurt and the public service injured, by giving way to a little clamor, after the most odious and difficult part of the business was done.

I am, sir, your obedient, humble servant,

JOS. REED.

Philadelphia, Aug. 11, 1780.

H. W. esq. Bucks county.

Gen. Lacy and his corps was discharged by an order of the executive of Pennsylvania, on the 12th October, 1781, with the thanks of the council.

### Letters from gen. Washington.

[Collected from among the papers of CESAR RODNEY, of Delaware, a member of the "stamp-act congress" and of the revolutionary congress, whose name is signed to the declaration of independence. He was repeatedly chosen governor of the state, and performed several tours of duty as a brigadier general, during the revolution.]

CAMP, FOUR MILES FROM POTTS' GROVE,

September 24th, 1777.

DEAR SIR—I last night read your favor of the 21st, and am much obliged to you for the book. This, and the one taken in the action at Chads-Ford, complete general Howe's orders from April to the 10th inst. I am sorry for the captivity of Mr. Berry, whom you mention to be a young man of merit, but no proposition for his exchange can be made at this time, nor can he be exchanged but in due course, which is the only rule by which equal justice can take place. The conduct of the militia is much to be regretted. In many instances, they are not to be roused, and in others they come into the field with all possible indifference, and, to all appearance, entirely unimpressed with the importance of the cause in which we are engaged. Hence preceeds a total inattention to order and to discipline, and too often a disgraceful departure from the army at the instant their aid is most wanted. I am inclined to think, the complaints and objections offered to the militia laws are but too well founded. The interest of the community has not been well consulted in their formation, and, generally speaking, those I have seen are unequal.

I wish I could inform you that our affairs were in a happier train than they now are. After various manœuvres and extending his army high up the Schuylkill, as if he meant to turn our right flank, gen. Howe made a sudden countermarch on Mon-

day night, and in the course of it and yesterday morning, crossed the river, which is fordable in almost every part, several miles below us; he will possess himself of Philadelphia in all probability—but I think, he will not be able to hold it. No exertions shall be wanting on my part to dispossess him.

I am, in haste, dear sir, your most obedient servant,

GEO. WASHINGTON.

*Brig. gen. Rodney.*

[CIRCULAR.]

WEST POINT, August 26, 1779.

SIR—In a letter which I had the honor of addressing your excellency on the 22d May, I took the liberty of mentioning the inconveniences which had prevailed for want of system in the clothing department, and the necessity there was for an early appointment of state or sub-clothiers, agreeably to the ordinance established by congress, by their act of the 23d March, with which I presumed your excellency had been made acquainted. I am now under the necessity of troubling you with a further address on the subject of clothing itself. From the best information I have been able to obtain, both from returns and particular enquiries, I fear that there is but too much reason to apprehend, that unless the respective states interfere with their exertions, our supplies of this essential article will be very deficient, and that the troops may again experience on this account a part of those distresses which were so severely and injuriously felt in past stages of the war, and which a regard to the interests of the states, as well as to the duties of humanity, should prevent if it be practicable. I do not know exactly how matters will turn out with woollen clothing. I should hope tolerably well; but if the attention of the state should ever go to this, there will be little probability of our having an over-supply. But the articles to which I would take the liberty to solicit your excellency's more particular attention, are—blankets—shirts—shoes and hats—more especially the two first, as our prospects of them are by no means pleasing, and such indeed as decides that the supply from the continental clothiers and agents will fall far short, or at least stand upon too critical and precarious a footing. The importance and advantages of good supplies of clothing are evident—and they have been most remarkably and happily demonstrated in the health of the troops, since they have been pretty comfortably provided for in this instance—a circumstance of all others the most interesting.

While I am on the subject of clothing, I would also beg leave to add, that the condition of the officers in this respect, appears to me to require the attention of their states. It is really in many instances painfully distressing. The want of necessaries and the means of procuring them, at the present exorbitant prices, have compelled a great many officers of good reputation and merit to resign their commissions;—and, if they are not relieved, it must be the case with many others, as they will have no alternative.

I have the honor to be, with the greatest respect and esteem, your excellency's most obedient servant,

GEO. WASHINGTON.

His excellency *Cesar Rodney, esq.*

[CIRCULAR.]

HEAD QUARTERS, WEST POINT,

August 26, 1779.

SIR—I have the honor to enclose your excellency a list of sundry officers belonging to your state who have been in captivity and are reported by the commissary of prisoners, as violators of parole. A conduct of this kind, so ignominious to the individuals themselves, so dishonorable to their country, and to the service in which they have been engaged, and so injurious to those gentlemen who were associated with them in misfortune, but preserved their honor—demands that every measure should be taken to deprive them of the benefit of their delinquency and to compel their return. We have pledged ourselves to the enemy to do every thing in our power for this purpose, and in consequence I directed Mr. Beatty, commissary of prisoners, to issue the summons which you will probably have seen in the public papers. But as it is likely to have a very partial operation, I find it necessary in aid of it to request the interposition of the executive powers of the different states to enforce a compliance. Most of these persons never having been and none of them now being in continental service, military authority will hardly be sufficient to oblige them to leave their places of residence and return to captivity, against their inclination: Neither will it be difficult for them to elude a military search and keep themselves in concealment. I must therefore entreat that your excellency will be pleased to take such measures as shall appear to you proper and effectual to produce their immediate return. This will be rendering an essential service to our officers in general, in captivity, will tend much to remove the difficulties which now lie in the way

of exchanges, and to discourage the practice of violating paroles in future.

I have the honor to be, with the greatest respect and esteem, your excellency's most obedient, humble servant,

GEO. WASHINGTON.

His excellency

Governor Rodney.

[Only one person of Delaware was charged in the schedule with having violated his parole.]

[CIRCULAR.]

HEAD QUARTERS, MORRISTOWN,

16th December, 1779.

SIR—The situation of the army with respect to supplies, is beyond description alarming. It has been five or six weeks past on half allowance, and we have not more than three days bread, at a third allowance, on hand, nor any where within reach. When this is exhausted, we must depend on the precarious gleanings of the neighboring country. Our magazines are absolutely empty every where, and our commissaries entirely destitute of money or credit to replenish them. We have never experienced a like extremity at any period of the war. We have often felt temporary want from an accidental delay in forwarding supplies, but we always had something in our magazines and the means of procuring more. Neither one nor the other is at present the case.

This representation is the result of a minute examination of our resources. Unless some extraordinary and immediate exertions be made by the states from which we draw our supplies, there is every appearance that the army will infallibly disband in a fortnight. I think it my duty to lay this candid view of our situation before your excellency, and to entreat the vigorous interposition of the state to rescue us from the danger of an event, which, if it did not prove the total ruin of our affairs, would at least give them a shock they would not easily recover, and plunge us into a train of new and still more perplexing embarrassments than any we have hitherto felt.

I have the honor to be, with great respect, your excellency's most obedient servant,

G. WASHINGTON.

His excellency

Governor Rodney.

*Extract of a letter from gen. Washington, to congress, dated head quarters, Springfield, 20th June, 1780.*

"The honorable the committee will have informed congress, from time to time, of the measures

which have been judged essential to be adopted for co-operating with the armament expected from France and of their requisitions to the states in consequence. What the result of these has been I cannot determine, to my great anxiety, as no answers on the subjects of them have been yet received. The period is come when we have every reason to expect the fleet will arrive—and yet, for want of this point of primary consequence, it is impossible for me to form or fix on a system of co-operation. I have no basis to act upon—and, of course, were this generous succour of our ally now to arrive, I should find myself in the most awkward, embarrassing and painful situation. The general and the admiral, from the relation in which I stand, as soon as they approach our coast, will require of me a plan of the measures to be pursued; and these ought of right to be and prepared, but circumstanced as I am, I cannot give them conjectures. From these considerations, I have suggested to the committee, by a letter I had the honor of addressing them yesterday, the indispensable necessity of their writing again to the states, urging them to give immediate and precise information of the measures they have taken and of the result. The interest of the states, the honor and reputation of our councils, the justice and gratitude due our allies, a regard to myself—all require that I should, without delay, be enabled to ascertain and inform them what we can or cannot undertake. There is a point which ought now to be determined, on which the success of all are future operations may depend, which, for want of knowing our prospects, I am altogether at a loss what to do in. For fear of involving the fleet and army of our allies in circumstances which, if not seconded by us, would expose them to material inconvenience and hazard, I shall be compelled to suspend it, and the delay may be fatal to our hopes.

Besides the embarrassments I have mentioned above, and upon former occasions, there is another of a very painful and humiliating nature. We have no shirts, from the best enquiry I can make, to distribute to the troops when the whole are in great want; and when a great part of them are absolutely destitute of any at all. Their situation too with respect to summer overalls, I fear is not likely to be much better. There are a great many on hand, it is said, at Springfield, but so indifferent in their quality as to be scarcely worth the expense of transportation and delivery. For the troops to be without clothing at any time, is highly injurious to the service and distressing to our feelings: but the want will be more peculiarly

mortifying when they come to act with those of our allies. If it is possible, I have no doubt immediate measures will be taken to relieve their distress. It is also most sincerely to be wished, that there could be some supplies of clothing furnished for the officers. There are a great many whose condition is really miserable still, and in some instances it is the case with almost whole state lines. It would be well for their own sakes and for the public good, if they could be furnished. When our friends come to co-operate with us, they will not be able to go on the common routine of duty—and if they should, they must be kept from their appearance, in low estimation.

## [CIRCULAR.]

*Head Quarters, near the Liberty Pole,  
Bergen county, 27th August, 1780.*

SIR—The honorable the committee of co-operation having returned to congress, I am under the disagreeable necessity of informing your excellency that the army is again reduced to an extremity of distress for want of provision. The greater part of it has been without meat from the 21st to the 26th. To endeavor to obtain some relief, I moved down to this place, with a view of stripping the lower parts of the country of the remainder of its cattle, which, after a most rigorous exaction, is found to afford between two and three days' supply only, and those consisting of milch cows, and calves of one or two years old. When this scanty pittance is consumed, I know not what will be our next resource, as the commissary can give me no certain information of more than 120 head of cattle expected from Pennsylvania and about 150 from Massachusetts—I mean in time to supply our immediate wants.

Military coercion is no longer of any avail, as nothing further can possibly be collected from the country in which we are obliged to take a position, without depriving the inhabitants of the last morsel. This mode of subsisting, supposing the desired end could be answered by it, besides being in the highest degree distressing to individuals, is attended with ruin to the morals and discipline of the army. During the few days which we have been obliged to send out small parties to procure provisions for themselves, the most enormous excesses have been committed.

It has been no inconsiderable support of our cause, to have had it in our power to contrast the conduct of our army with that of the enemy, and to convince the inhabitants that, while their rights

were wantonly violated by the British troops, by ours they were respected. This distinction must, unhappily, now cease, and we must assume the odious character of the plunderers instead of the protectors of the people; the direct consequence of which must be, to alienate their minds from the army and insensibly from the cause.

We have not yet been absolutely without flour, but we have *this* day, but *one* day's supply in camp, and I am not certain that there is a single barrel between this place and Trenton. I shall be obliged therefore to draw down one or two hundred barrels from a small magazine, which I had endeavored to establish at West Point, for the security of the garrison, in case of a sudden investiture.

From the above state of facts, it may be foreseen that this army cannot possibly remain much longer together, unless very vigorous and immediate measures are taken by the states to comply with the requisitions made upon them. The commissary general has neither the means nor the power of procuring supplies—he is only to receive them from the several agents. Without a speedy change of circumstances, this dilemma will be involved: either the army must disband, or what is, if possible, worse, subsist upon the plunder of the people. I would fain flatter myself that a knowledge of our situation will produce the desired relief: not a relief of a few days, as has generally heretofore been the case, but a supply equal to the establishment of magazines for the winter. If these are not formed before the roads are broken up by the weather, we shall certainly experience the same difficulties and distresses the ensuing winter which we did the last. Although the troops have, upon every occasion hitherto, borne their wants with unparalleled patience, it will be dangerous to trust too often to a repetition of the causes of discontent.

I have the honor to be, with great respect, your excellency's most obedient,

G. WASHINGTON.

*State of Delaware.*

FROM THE PAPERS OF CESAR AND THOMAS RODNEY.

The editor's friend, Cesar A. Rodney, of Delaware, well known as a member of congress from that state, attorney general of the United States, &c. favored him with an opportunity of examining a great mass of papers left by his uncle, general Cesar and his father, capt. Thomas Rodney, men celebrated for their devotion to the cause of liberty. Out of this extensive collection, the following articles have been gleaned, in the belief that each of them may go to establish some

point interesting to those who seek to ascertain the "principles and acts of the revolution."

EDITOR.]

THE STAMP ACT CONGRESS.

*Extract of a letter from Caesar Rodney, to his brother Thomas, dated New York, Oct. 20, 1765.*

When I wrote to you last, I expected that congress would have ended in eight or ten days from that time; but, contrary to expectation, we have not yet finished. You and many others are surprised, perhaps, to think we should sit so long, when the business of our meeting seemed only to be the petitioning the king, and remonstrating to both houses of parliament: but when you consider that we are petitioning and addressing that august body, the great legislature of the empire, for redress of grievances,—that, in order to point out those grievances, it was likewise necessary to set forth the liberty we have and ought to enjoy (as freeborn Englishmen) according to the British constitution. This we are about to do by way of declaration, in the nature of resolves, as a foundation to the petition and address; and was one of the most difficult tasks I ever yet saw undertaken, as we had carefully to avoid any infringement of the prerogative of the crown and the power of parliament—and yet in duty bound fully to assert the rights and privileges of the colonies. However, after arguing and debating two weeks, on liberty, privileges, prerogative, &c. in an assembly of great abilities, we happily finished them, and now have the petition and addresses before us, and expect to finish in three or four days.

*Philadelphia, Saturday, Sept. 17th, 1774.*

SIR—By express, which arrived here yesterday from the committee of the town of Boston, to the continental congress, we are informed the county of Suffolk, of which the town of Boston is the capital, had entered into certain resolutions, a copy of which was enclosed us, generally to the purport of not suffering the commander in chief to execute the act of parliament changing their government, by persuading, protecting and compelling officers under the new regulation to resign, and by a refusal in jurymen to serve, &c. That they have ordered all those able to bear arms to keep in readiness to defend their inherent rights, even with loss of blood and treasure; that they are determined not to injure the general or any of the king's troops, unless compelled thereto by an attack made by the troops on them. They complain of the general seizing of the powder at Cambridge, which they say was private property; and also that he is now fortifying the only pass that leads from

the town of Boston into the country, from whence the inhabitants of the town are daily supplied: this pass is a narrow neck of land about 120 yards wide, at which he has placed a number of troops and 28 cannon; that the country people passing and repassing this place are suffered to be insulted by the soldiery—and that the inhabitants feared, (from those movements of the general), he had designs of apprehending and sending to England those persons who have stood foremost in the great cause of liberty—that in consequence of his conduct, and those their suspicions, the inhabitants of Suffolk sent (by a committee appointed for that purpose) an address to the general, enquiring the cause of his stopping up and fortifying the pass, seizing and securing the magazines, &c. and their disapprobation of his conduct—and that they had no intention to assault either him or his soldiers;—but that, if he continued to block up the pass, and thereby prevent them of the only means of supplying the town with necessaries, they should look upon it as a commencement of hostilities: Upon the whole, they sent an express to the general congress here for their instructions as to their future conduct. The congress met on that business this day, and have resolved thereon—which you will see in the "Packet" of Monday, being ordered immediately to be printed, as well that the general as the people might know what they thought of the matter.

I am yours, &c.

CÆSAR RODNEY.

*Capt. Thomas Rodney.*

*Philadelphia, Monday, Sept. 19, 1774.*

SIR—Some time ago, I do not doubt but you were all much alarmed, on a report that the king's ships were firing on the town of Boston. When that news came to this city, the bells were muffled, and kept ringing all that day: however, in a few days after that news was contradicted here, and hope by this time it is so with you. By some late very authentic accounts from Boston government, to the gentlemen of that place now at the congress, we are informed that there was about three days between this report's passing through the Massachusetts and Connecticut governments, and its being contradicted: that when the expresses went to contradict this false report, they found, in those two governments, in different parties, upwards of fifty thousand men, well armed, actually on their march to Boston, for the relief of the inhabitants; and that every farmer who had a cart or waggon, (and not able to bear arms), was with them, loaded with provisions, ammunition, &c. all headed by experienced officers, who had served in the late American war: and that vast numbers more

were preparing to march. Upon the news being contradicted, they returned peaceably to their several places of abode—but not till they had sent some of their officers, from the different parties, to Boston, to know the real situation of affairs there, and to direct them what principal officers in the different parts of the country they should hereafter send expresses to, in case they should stand in need of their assistance. It is supposed by some of the friends of liberty, at Boston, that the alarm was set on foot by some of the friends to the ministerial plan, in order to try whether there was that true valor in the people. If this was the case, I suppose you will think with me, that, by this time, they can have no doubts remaining. Indeed, I think it is proved by the general's own conduct; for, ever since that, he has been fortifying himself, which I imagine is more for his own security than to attack the inhabitants.

I am yours, &c.

CÆSAR RODNEY.

*Mr. Thomas Rodney, Dover.*

[EXTRACT.]

*Philadelphia, Sept. 24, 1774.*

SIR—Mr. B. Penn is a great friend of liberty, and has treated the gentlemen delegates with the greatest respect. More or less of them dine with him every day—and his brother wishes his station would admit of his acting the same part: all these matters are for your own private speculation, and not for public view. By this you may see that some people with you are mistaken in their politics, and you may also take for granted every body here is not well pleased with the coalition of the two brothers.

I am, as usual, your friend and humble servant;

CÆSAR RODNEY.

*Mr. Thomas Rodney.*

*Philadelphia, Monday, Oct. 9, 1775.*

SIR—On Friday, about eleven o'clock at night, Dr. K. of this city was seized by order of the committee of observation, for having wrote letters to England, injurious and destructive to us in the American contest, and wicked with respect to this city, and is now confined in jail, together with one B. who came here with governor Skeen, Mr. C. an apothecary, who was in partnership with S. and one Mr. S. all of whom were aiding the doctor in his plan. You must know K. has been a considerable time since marked out as a thorough-paced tory; for which, together with his having insulted the people, he was (since I came to town last) carted through the streets. But the offence for which he is now confined, is thus circumstanced: On Wed-

nesday last, a ship sailed out of this port for London, in which Mr. C. was going passenger. A few days before she sailed, young Dewees, son of the sheriff, went to pay Dr. K. some money, and coming suddenly into his room, found him and C. together, with a bundle of papers before them, which they hustled up in seeming confusion. This, with K's tory character, gave Dewees suspicion, and he accordingly informed a few of the committee, who kept the matter secret, let the ship sail and the passengers go down to Chester by land, to go on board. On Thursday evening, which was the day the passengers went, a small party was sent down to Chester; they stayed there that night ~~long~~, and saw the passengers go on board next morning. They then immediately pushed on board, seized and examined Mr. C. who, in a little time, told them that there were several letters from Dr. K. and Mr. B. and one from Mr. S. that he had the charge of them, and was concerned with them in the plan they had concerted, but that the letters were then in the custody of a woman down in the cabin, and that she had them concealed in a pocket sewed to the inside of her s—ft tail, where in fact they soon after found them, and came back to town, (leaving C. as they had promised, upon his making a discovery of the whole matter, on oath, before Mr. Graham, at Chester), and then seized the authors. The letters were to lord Dartmouth and other ministers of state, but under cover to Messrs. M'Cawley. The substance and design was pressing their sending to Philadelphia five thousand regulars, on which condition they would engage five thousand more here to join them, provided the royal standard should be also sent in, and K. appointed to bear it; for that great numbers of those who now wear cockades and uniform were hearty in the ministerial cause—that the rest were a pack of cowards—for that he (K.) had made above five thousand of them run, by snapping a single pistol at them, &c. They had with them, for the use of the ministry, one of J. F's plans of Delaware bay and river, whereon they had described the place where the chevaux-de-frises were fixed. Besides these and many more villainous contrivances, they were taking home the out-lines for a print, to be struck off in London, shewing K's late exhibition in the cart, going through the streets of Philadelphia with the mob, some of whom he undertakes particularly to describe, to wit: Bradford, &c. &c. many of whom were actually not there, and how he every now and then, by snapping his pistol, made them run, &c. His abuse of the congress, committees, &c. (in his letters), is intolerable—such as rebels, &c.

After the committee of safety had examined them and the contents of the letters, they sent a pilot boat down the river to overtake the ship, to bring up C. and to search the box of letters, and to bring all of them that they supposed to be from or to suspicious persons. This boat returned Sunday afternoon, brought C. and put him in jail, and also brought a number of letters belonging to and wrote by other persons. The committee of safety has been sitting on these affairs all this day, but I have been so closely confined to congress to-day, that I don't yet know what they have done, or what others are accused.

Yours, &c.  
Mr. Thomas Rodney.

CÆSAR RODNEY.

*Dover, August 30, 1776.*

SIR—I received your letters by last post, and the one preceding and one mentioned in that. I am pleased with your resolution mentioned in your last, as I should be sorry to hear that the unsteady passions which govern the people, should at any time give the least shock to that virtue which hath so long and necessarily supported American liberty. Though the people in a popular government often put away good men for bad ones, and though such a change could not be more dangerous at any time than the present, yet I look on the present change with us as an example which favors liberty. If the people will not continually support those men, who have served them faithfully at all hazards, it cannot be supposed that they will long support those men who, in opposition to the public weal, have pursued their own private interest only. These men by a violent exertion of the influence of the magistracy, and descending to assert the most base, low and infamous falsehoods, have succeeded for once, because the people were blinded that they could not see their true interest. But be assured, they that set them up will pull them down again.

After devoting ten years to the service of your country and public business, to the great prejudice of your own private interest, you certainly deserve to enjoy the sweets of retirement, which is the happiest life in this state; and you will have this reflection, that after the time you mention, that you have accomplished the establishment of American liberty; and that you could not do any thing that would add to the honor already acquired: but I believe the people will not let you execute this design—they will soon be tired of those who they have now set up—and will begin to call again upon those men whose virtue hath been proved to the utmost. When the great matters which you men-

tion are complete, I shall be content—nor shall desire to have any hand in politics, unless at any time liberty be encroached upon. Nothing but the great cause of liberty, which we have been embarked in, could have induced me, (who have an increasing family and so little for them), to have spent so much of my time and money in public services.

THOMAS RODNEY.

*Hon. Cesar Rodney, in congress.*

*Extract of a letter from col. John Haslett,\* to general Cesar Rodney, dated camp near Mount Washington, 5th Oct. 1776.*

SIR—I know you have already sacrificed a large share of private property to the evil and unthankful; in this you resemble the Supreme Manager, who makes his sun to shine on the evil and the good, and, bad as times are, you have a few friends still of the latter character. And, my dear sir, who can better afford it? Providence has blessed you with a fortune to your prudence inexhaustible, by which you are enabled to live where you please, and to keep the first company where you do live, and all this with few drawbacks upon it. How then, can you lay out a part of it to more noble purposes, than in serving your country, guarding her rights and privileges, and forcing wretches to be happy against their will? In this you will act as an agent of the Sovereign Goodness, and co-operate with Heaven to save a wretched race; and though you may not effect the righteous purpose, the testimony of an approving conscience, the applause of conscious virtue, and the approbation of all good beings, will more than balance the sacrifice. A thousand things might be urged to the same purpose. But a word to the wise.

*Allen's Town, in Jersey, 12 miles from Princeton,  
20 do. from Brunswick, Dec. 30th 1776.*

SIR—I wrote you a long letter on the 24th, which I had no opportunity of sending, and left it in my trunk at Mr. Coxe's, two miles from Bristol; it contains the news to that time, which I cannot repeat here. On the 25th inst. in the evening, we received orders to be at Shamony ferry as soon as possible. We were there according to orders in two hours, and met the rifle-men, who were the first from Bristol; we were ordered from thence to Dunk's ferry, on the Delaware, and the whole army of about 2000 men followed, as soon as the artillery got up. The three companies of Philadelphia infantry and mine were formed into a body, under the command of captain Henry, (myself second in

\*Killed at Princeton.



command), which were embarked immediately to cover the landing of the other troops. We landed with great difficulty through the ice, and formed on the ferry shore, about 200 yards from the river. It was as severe a night as ever I saw, and after two battalions were landed, the storm increased so much, and the river was so full of ice, that it was impossible to get the artillery over; for we had to walk 100 yards on the ice to get on shore. Gen. Cadwallader therefore ordered the whole to retreat again, and we had to stand at least six hours under arms—first, to cover the landing and till all the rest had retreated again—and, by this time, the storm of wind, hail, rain and snow, with the ice, was so bad, that some of the infantry could not get back till next day. This design was to have surprised the enemy at Black Horse and Mount Holley, at the same time that Washington surprised them at Trenton; and had we succeeded in getting over, we should have finished all our troubles. Washington took 910 prisoners, with 6 pieces of fine artillery, and all their baggage in Trenton. The next night I received orders to be in Bristol before day: we were there accordingly, and about 9 o'clock began to embark one mile above Bristol, and about 3 o'clock in the afternoon got all our troops and artillery over, consisting of about 3000 men, and began our march to Burlington—the infantry, flanked by the rifle-men, making the advanced guard. We got there about 9 o'clock and took possession of the town, but found the enemy had made precipitate retreat the day before, bad as the weather was, in a great panic. The whole infantry and rifle-men were then ordered to set out that night and make a forced march to Bordentown, (which was about 11 miles), which they did, and took possession of the town about 9 o'clock, with a large quantity of the enemy's stores, which they had not time to carry off. We stayed there till the army came up; and the general finding the enemy were but a few miles ahead, ordered the infantry to proceed to a town called Croswick's, four miles from Bordentown, and they were followed by one of the Philadelphia and one of the New England battalions. We got there about 8 o'clock, and at about 10, (after we were all in quarters), were informed that the enemy's baggage was about 16 miles from us, under a guard of 300 men. Some of the militia colonels applied to the infantry to make a forced march that night and overhaul them. *We had then been on duty four nights and days, making forced marches, without six hours sleep in the whole time; whereupon the infantry officers of all the companies unanimously declared*

it was madness to attempt, for that it would knock up all our brave men, not one of whom had yet gave out, but every one will suppose were much fatigued. They then sent off a party who were fresh, but they knocked up before they got up with them, and came back and met us at this town next morning. They surrounded a house where there was six Tories—took three of them—one got off—and one who run and would not stop, was shot dead. They gave him warning first by calling, and at last shot two bullets over his head, but he still persisted, and the next two shot; one bullet went through his arm and one through his heart. The enemy have fled before us in the greatest panic that ever was known; we heard this moment that they have fled from Princeton, and that they were hard pressed by Washington. Never were men in higher spirits than our whole army is; none are sick, and all are determined to extirpate them from the Jersey, but I believe the enemy's fears will do it before we get up with them. The Hessians, from the general to the common soldier, curse and imprecate the war, and swear they were sent here to be slaughtered; that they never will leave New-York again, till they sail for Europe. Jersey will be the most whiggish colony on the continent: the very Quakers declare for taking up arms. You cannot imagine the distress of this country. They have stripped every body almost without distinction—even of all their clothes, and have beat and abused men, women and children, in the most cruel manner ever heard of. We have taken a number of prisoners, in our route, Hessians and British, to the amount of about 20. It seems likely, through the blessing of Providence, that we shall retake Jersey again without the loss of a man, except one gen. Washington lost at Trenton. The enemy seem to be bending their way to Amboy with all speed, but I hope we shall come up with the Princeton baggage yet, and also get a share of their large stores at Brunswick. I hope, if I live, to see the conquest of Jersey, and set off home again in two weeks. Some of my men have complained a little, but not to say sick; they are all now well here.

THOMAS RODNEY.

*Brig. gen. Cesar Rodney, esq.*

*Dover, July 20th, 1779.*

DEAR SIR—You will readily grant that it is evident from the low credits of our money, that the state of our finances is bad enough yet I think congress is too much alarmed on this head, and is thereby urged into measures that still tend to depress the

credit of the money. 'Tis well enough that they should alarm the people, that every exertion may be made by them to support congress in their measures for raising the value of the money—but if congress be too much alarmed themselves, they will not be so likely to direct these exertions in the best manner to answer effectually the purpose intended. Congress, in my humble opinion, ought to be cool, uniform and firm, in what they do on this head. Taxation, if not impeded by other means, will restore the money much sooner perhaps than congress apprehend; for, by this means, without destroying one bill, one half the money, at least, will be taken out of circulation, and the people will soon be amazed to see the money disappear, without hearing that any of it is destroyed. This position will appear evident to you when you consider, that, from the moment the present tax is collected, (if the plan is pursued), there will always be at least sixty millions of dollars locked up in the treasuries—and as fast as any part of this sum is dealt out to supply the exigencies of the war, it ought to be supplied by the taxes coming in. I think there can be no doubt but a sum, equal to what I have mentioned, will always remain in the treasury; that is, between the hands of the first collectors and those that pay it out to the people again: and while it is there, it will be out of sight and out of circulation.

But if taxation has been too long neglected, and is now too slow to supply your present demand, it is better to borrow, than emit any more money—but not upon unusual interest;—a higher interest than usual, holds out that the people are not ready and willing to support the public credit, and that the security is doubtful. An accumulating interest, to be in proportion to the increase of the quantity of money, holds out that you intend to emit more—that is, that you will make the monster yet more terrible, that has frightened every body almost out of their wits already.

Borrowing is a measure I never would advise, if the necessity of our circumstances did not drive us into it, by being past the opportunity of better means; but as we are now circumstanced, borrowing may have an extraordinary good effect, if the measure is wisely conducted—that is, if the friends to America would form themselves into bodies, or small societies, and every man subscribe according to his abilities to lend the public at usual interest, and each society to appoint one or more of their members to take a certificate for the gross sum they all subscribe, in trust to receive and pay each

member his interest annually, and his principal according to the terms of lending.

This is the mode the friends of the cause are endeavoring to promote here, that all persons whatever may have an opportunity of subscribing.

When I see large societies formed in your city to promote their own particular sentiment about the constitution of government, I cannot think they would be backward in a measure of this sort, which possibly may be the means of saving the very existence of that government.

The mode that I would advise in your city would be this: Let each class of people, according to their calling, associate together—and let the merchants, who we may suppose the monied men, begin—their example will soon be followed by the rest.

This would convince both our friends and enemies, as well abroad as at home, that the people are determined to support the public credit, and the only hope that Britain now has would vanish in a moment.

Once this example is set, he that is able, and does not follow it, will give the strongest proof of his disaffection, and ought to be regarded accordingly.

There are few evils but what have benefits proportionate attendant on them. War cannot be carried on without supplies, and the high prices given for them for twelve months past, has encouraged the merchant and the farmer in such a degree, that we see industry, enterprize and plenty abound every where—so that, in my private view, (notwithstanding the state of our finances), our circumstances are the most flourishing that they have been since the war began.

THOMAS RODNEY.

*Cæsar Rodney, esq.*

*Philadelphia, July 22d, 1779.*

DEAR SIR—I have received your favor of the 17th, for which and the enclosure I am much obliged, as I shall always be for a communication of your sentiments on public affairs.

I so much agreed with you concerning the expediency of acceding to the confederation, though, as you justly observe, in several particulars exceptionable, that I used what little influence I had to forward its ratification by our state; advising, at the same time, a strong declaration upon the parts objected to, addressed to congress, and pointedly

expressing our expectation of a revision and alteration thereof at a more convenient season.

Your reflections on our loan, and on some other proceedings, I fear, are too well founded.—Our difficulties are prodigious. We see the wisdom of your proposal to stop the presses—we perceive taxation to be of as much importance as you mention—we are desirous of borrowing on the lowest terms—but, while we have so many thousands to supply with necessaries, and while the demands upon us for the articles we must purchase are daily and hourly rising upon us, with such a boundless stretch—to what purpose are loans and taxes?

I have esteemed it my duty since I have been in congress, to keep my eyes constantly fixed on the preventing further emissions—and several steps have been taken towards that point, that are known but by very few to lead towards it: some others are now under consideration—and I am impatiently waiting for the moment, when a prospect of carrying on affairs without further emissions, and a likelihood of succeeding in the attempt, will permit me to move for stopping the presses.

Mrs. Dickinson and Sally, with myself, desire to be very affectionately remembered to your family.

I am, sir, your sincerely affectionate and very humble servant,

JOHN DICKINSON.

To Thomas Rodney, esq. Driver.

Philadelphia, June 14, 1781.

SIR—You will find by the contents of this, that it is a confidential letter, conveying you very important and pleasing intelligence.

Congress has received a letter from the king of France, and are also otherwise officially informed by his minister here, that the empress of Russia threw out an invitation for the belligerent powers to apply for her mediation, at which the court of London eagerly caught, and mentioned the emperor of Germany as another mediator—and a congress was proposed to be opened at Vienna, for the purpose of settling a general peace. The answer of the court of France was, that they could send no plenipotentiaries to said congress, till they had consulted their allies; but, as the mediators are such respectable powers, and may be so fully relied on for justice, the king presses the United States to submit to the mediation—and that the first preliminary he will insist on, previous to any other negotiation, shall be, the independence of the United States, in full—and upon obtaining this, request that the states may be as moderate in all other

demands as possible, that the mediating powers, may thereby receive favorable impressions of our equity and justice. The same mediating application was made to the court of Spain, and their answer was, that they could not do any thing but in conjunction with their ally, the king of France—so that the congress of mediation is likely to be delayed till our despatches reach France. However, the king says that, if he is so pressed that he cannot decently delay sending a plenipotentiary till that time, he shall insist on the preliminary before mentioned, and then only proceed in the negotiation so as to have it in such forwardness as will not injure America against their plenipotentiaries and instructions arrived. The king of France thinks that very equitable terms of peace may be obtained through this mediation, but urges us strongly to exert ourselves this campaign—as the wresting the southern states out of the hands of the British, will contribute greatly to lessen their demands and make them more readily incline to equitable terms of peace; and that our exertions ought to be quick and vigorous, lest a truce should take place: and to ensure the success of this mediation we ought to make the most ample and vigorous preparations for carrying on the war. Britain made an attempt, through a Mr. Cumberland, to negotiate a separate treaty with Spain; but this has failed, though Mr. Cumberland is still at Madrid. Spain would not treat but in conjunction with France, and France cannot treat but in conjunction with America. Thus are we linked together, so that the independence of America now stands on prosperous ground, and no further doubt need to remain about it: for this much is certain—all the powers of Europe, (Britain excepted), wish us to be independent. Thus far in confidence, with this addition, that congress have appointed Dr. Franklin, J. Adams, J. Jay, H. Laurens and governor Jefferson, their plenipotentiaries for settling the peace. They first agreed to appoint but one, and Adams was appointed before I came up; they then agreed to add two more, then Jay was appointed—then Jefferson had five votes, Franklin four, and Laurens one. The states voted the same way three times. Then I proposed to the members of Virginia and Pennsylvania that we should appoint them both, which being generally agreed to, this day was appointed for the purpose, and then Laurens was included—so the appointment now consists of five. New Hampshire, Pennsylvania, Delaware and Maryland, were for Franklin, South Carolina for Laurens, and Massachusetts, Connecticut, Jersey, Virginia and North Carolina for Jefferson, Rhode Island and

New York unrepresented; Georgia absent. Mr. M'Kean wanted to alter in favor of Jefferson and leave Franklin out, which, upon Georgia's coming in, would have carried him; but I would not give up Franklin, and by the manner of proposing to appoint them both, got him appointed—though this was exceedingly against the grain of several members. He will now be put at the head of the commission. His abilities, character and influence are what will be of most use to us in Europe.

I am, your most obedient,

THOMAS RODNEY.

His excellency

Cesar Rodney, esq. Dover.

AMERICAN AND FRENCH SOLDIERS.

Williamsburg, 16th Dec. 1781.

DEAR SIR—After the departure of gen. Washington, the French quartered themselves upon the people, of this and some other towns, *a la mode militaire*, and gave no small offence; but they are now dancing them into good humor again by a ball every week. I had myself a *petit guerre* with a French officer, by which I was turned out of my quarters, and, consequently, came off but second best. Being summoned before count Rochambeau to answer for my rebellious conduct, I received a long lecture on the subject of politeness to friends and allies, with intimations of his power to punish obstinacy. Although I was put into quarters equally good with those I was compelled to leave, I must confess, I did not perfectly understand the French *politeness*, in the mode of exchange. The old count, I believe, has either forgotten or forgiven me, as a day or two ago he gave me an invitation to dine with him.

It must be mortifying to our *poor devils* to observe the comfortable and happy life of French soldiers. They appear on parade every day like fine gentlemen, as neat as their officers, and hardly to be distinguished from them. They are paid once a week, and, by their happy countenance, appear to want nothing. A centinel is not allowed to stand upon duty without a warm watch-coat in addition to his other clothing. The officers treat the soldiers with attention, humanity and respect, and appear to employ all the means necessary to inspire them with sentiments of honor. Except some horse-jockeying and plundering, at the reduction of York, I have heard of no stealing among them.—Theft is said to be a crime held in universal abhorrence among them. I have not seen or heard of any instance, yet, of a French soldier be-

ing whipped. Their desertions, I believe, have been rare, and their sickness but little. When will our army bear the comparison?

JAMES TILTON.

Thomas Rodney, esq.

British Parliament.

Extract from the speech of JOHN WILKES, delivered in the house of commons, on the 6th of Feb. 1775, on lord North's propositions to declare, that a rebellion existed in the colony of Massachusetts, &c. From Botta's history.

"I am indeed surprised, that, in a business of so much moment as this before the house, respecting the British colonies in America, a cause which comprehends almost every question relative to the common rights of mankind, almost every question of policy and legislation, it should be resolved to proceed with so little circumspection, or rather with so much precipitation and heedless imprudence. With what temerity are we assured, that the same men who have been so often overwhelmed with praises for their attachment to this country, for their forwardness to grant it the necessary succours, for the valour they have signalized in its defence, have all at once so degenerated from their ancient manners, as to merit the appellation of seditious, ungrateful, impious rebels! But if such a change has indeed been wrought in the minds of this most loyal people, it must at least be admitted, that affections so extraordinary could only have been produced by some very powerful cause. But who is ignorant, who needs to be told of the new madness that infatuates our ministers?—who has not seen the tyrannical counsels they have pursued, for the last ten years? They would now have us carry to the foot of the throne, a resolution, stamped with rashness and injustice, fraught with blood, and a horrible futurity. But before this be allowed them, before the signal of civil war be given, before they are permitted to force Englishmen to sheath their swords in the bowels of their fellow subjects, I hope this house will consider the rights of humanity, the original ground and cause of the present dispute. Have we justice on our side? No! assuredly, no. He must be altogether a stranger to the British constitution, who does not know that contributions are voluntary gifts of the people; and singularly blind, not to perceive that the words "liberty and property," so grateful to English ears, are nothing better than mockery and insult to the Americans, if their property can be taken without their consent. And what motive can there exist for this

"To deny that the legislative power of Great Britain is entire, general, and sovereign, over all parts of its dominions, appears to me too puerile to merit a serious answer. What I would say is, that, under this cover of rights, under this color of privileges, under these pretenses of immunities, the good and loyal Americans have concealed a design, not new, but now openly declared, to cast off every species of superiority, and become altogether an independent nation. They complained of the stamp-act. It was repealed. Did this satisfy them? On the contrary, they embittered more than ever our respective relations, now refusing to indemnify the victims of their violence, and now to rescind resolutions that were so many strides towards rebellion. And yet, in these cases, there was no question of taxes, either internal or external. A duty was afterwards imposed on glass, paper, colours, and tea. They revolted anew; and the bounty of this too indulgent mother again revoked the greater part of these duties, leaving only that upon tea, which may yield, at the utmost, sixteen thousand pounds sterling. Even this inconsiderable impost, Great Britain, actuated by a meekness and forbearance without example, would have repealed also, if the colonists had peaceably expressed their wishes to this effect. At present, they bitterly complain of the regular troops sent amongst them to maintain the public repose. But, in the name of God, what is the cause of their presence in Boston? American disturbances. If the colonists had not first interrupted the general tranquility, if they had respected property, public and private; if they had not openly resisted the laws of parliament and the ordinances of the king, they would not have seen armed soldiers within their walls. But the truth is, they expressly excite the causes, in order to be able afterwards to bemoan the effects. When they were menaced with real danger, when they were beset by enemies from within and from without, they not only consented to admit regular troops into the very heart of their provinces, but urged us, with the most earnest solicitations, to send them: but now the danger is past, and the colonists, by our treasure and blood, are restored to their original security; now these troops have become necessary to repress the factious, to sustain the action of the laws, their presence is contrary to the constitution, a manifest violation of American liberty, an attempt to introduce tyranny; as if it were not the right and the obligation of the supreme authority, to protect the peace of the interior as well as that of the exterior, and to repress internal as effectually as external enemies.

"As though the Americans were fearful of being called, at a future day, to take part in the national representation, they pre-occupy the ground, and warn you, in advance, that, considering their distance, they cannot be represented in the British parliament: which means, if I am not deceived, that they will not have a representative power in common with England, but intend to enjoy one by themselves, perfectly distinct from this of the parent state. But why do I waste time in these vain subtleties? Not content with exciting discord at home, with disturbing all the institutions of social life, they endeavor also to scatter the germs of division in the neighboring colonies, such as Nova Scotia, the Floridas, and especially Canada. Nor is this the end of their intrigues. Have we not read here, in this land of genuine felicity, the incendiary expressions of their address to the English people, designed to allure them to the side of rebellion? Yes, they have wished, and with all their power have attempted, to introduce into the bosom of this happy country, outrage, tumult, devastation, pillage, bloodshed, and open resistance to the laws! A thousand times undone the English people, should they suffer themselves to be seduced by the flatteries of the Americans! The sweet peace, the inestimable liberty, they now enjoy, would soon be replaced by the most ferocious anarchy, devouring their wealth, annihilating their strength, contaminating and destroying all the happiness of their existence. Already have the colonists trampled on all restraints; already have they cast off all human respect; and, amidst their subtle machinations, and the shades in which they envelop themselves, they suffer, as it were, in spite of themselves, their culpable designs to appear. If they have not yet acquired the consistence, they at least assume the forms, of an independent nation.

"Who among us has not felt emotions kindling deep in his breast, or transports of indignation, at the reading of the decrees of congress, in which, with a language and a tone better befitting the haughty courts of Versailles or of Madrid, than the subjects of a great king, they ordain imperiously the cessation of all commerce between their country and our own? We may transport our merchandise and our commodities among all other nations. It is only under the inhospitable skies of America, only in this country, dyed with the blood, and bathed in the sweat, we have shed for the safety and prosperity of its inhabitants, that English industry cannot hope for protection, cannot find an asylum! Are we then of a spirit to

endure that our subjects trace around us the circle of Popilius, and proudly declare on what conditions they will deign to obey the ancient laws of the common country? But all succeeds to their wish: they hope, from our magnanimity, that war will result, and from war, independence. And what a people is this, whom benefits cannot oblige, whom clemency exasperates, whom the necessity of defence, created by themselves, offends!

"If, therefore, no doubt can remain as to the projects of these ungrateful colonists; if an universal resistance to the civil government, and to the laws of the country; if the interruption of a free and reciprocal commerce between one part and another of the realm; if resisting every act of the British legislature, and absolutely, in word and deed, denying the sovereignty of this country; if laying a strong hand on the revenues of America; if seizing his majesty's forts, artillery, and ammunition; if exciting and stimulating, by every means, the whole subjects of America to take arms, and to resist the constitutional authority of Great Britain, are acts of treason, then are the Americans in a state of the most flagrant rebellion. Wherefore, then, should we delay to take resolute measures? If no other alternative is left us, if it is necessary to use the power which we enjoy, under Heaven, for the protection of the whole empire, let us show the Americans, that, as our ancestors deluged this country with their blood, to leave us a free constitution, we, like men, in defiance of faction at home and rebellion abroad, are determined, in glorious emulation of their example, to transmit it, perfect and unimpaired, to our posterity. I hear it said by these propagators of sinister auguries, that we shall be vanquished in this contest. But all human enterprizes are never without a something of uncertainty. Are high-minded men for this to stand listless, and indolently abandon to the caprices of fortune the conduct of their affairs? If this dastardly doctrine prevailed, if none would ever act without assurance of the event, assuredly no generous enterprise would ever be attempted; chance, and blind destiny, would govern the world. I trust, however, in the present crisis, we may cherish better hopes: for, even omitting the bravery of our soldiers and the ability of our generals, loyal subjects are not so rare in America as some believe, or affect to believe. And, besides, will the Americans long support the privation of all the things necessary to life, which our numerous navy will prevent from reaching their shores?

"This is what I think of our present situation: these are the sentiments of a man neither partial, nor vehement, but free from all prepossessions, and ready to combat and shed the last drop of his blood, to put down the excesses of license, to extirpate the germs of cruel anarchy, to defend the rights and the privileges of this most innocent people, whether he finds their enemies in the savage deserts of America, or in the cultivated plains of England.

"And if there are Catalines among us, who plot in darkness pernicious schemes against the state, let them be unveiled and dragged to light, that they may be offered a sacrifice, as victims to the just vengeance of this courteous country; that their names may be stamped with infamy to the latest posterity, and their memory held in execration, by all men of worth, in every future age!"

### Eulogium on Warren.

From Botta's history of the American war,—published, he says, "in the Philadelphia papers," but we know not when, or where, or by whom, it was delivered, which we should have been glad to have ascertained.

"What spectacle more noble," than this, of a hero who has given his life for the safety of country! Approach, cruel ministers, and contemplate the fruits of your sanguinary edicts. What reparation can you offer to his children for the loss of such a father, to the king for that of so good a subject, to the country for that of so devoted a citizen? Send hither your satellites; come, feast your vindictive rage: the most implacable enemy to tyrants is no more. We conjure you respect these his honored remains. Have compassion on the fate of a mother overwhelmed with despair and with age. Of him, nothing is left that you can still fear. His eloquence is mute; his arms are fallen from his hand: then lay down yours: what more have you to perpetrate, barbarians that you are? But, while the name of American liberty shall live, that of Warren will fire our breasts, and animate our arms, against the pest of standing armies.

"Approach, senators of America! Come, and deliberate here, upon the interests of the united colonies. Listen to the voice of this illustrious citizen: he intreats, he exhorts, he implores you not to disturb his present felicity with the doubt, that he, perhaps, has sacrificed his life for a people of slaves:

"Come hither, ye soldiers, ye champions of American liberty, and contemplate a spectacle which should inflame your generous hearts with even a new motive to glory. Remember, his shade still hovers, unexpiated, among us. Ten thousand ministerial soldiers would not suffice to compensate his death. Let ancient ties be no restraint: foes of liberty are no longer the brethren of freemen. Give edge to your arms, and lay them not down, till tyranny be expelled from the British empire, or America, at least, become the real seat of liberty and happiness.

"Approach ye also, American fathers and American mothers; come hither, and contemplate the first fruits of tyranny: behold your friend, the defender of your liberty, the honor, the hope of your country: see this illustrious hero, pierced with wounds, and bathed in his own blood. But let not your grief, let not your tears be steril. Go, hasten to your homes, and there teach your children to detest the deeds of tyranny; lay before them the horrid scene you have beheld: let their hair stand on end; let their eyes sparkle with fire; let resentment kindle every feature; let their lips vent threats and indignation: then—then—put arms into their hands, send them to battle, and let your last injunction be, to return victorious, or to die, like Warren, in the arms of liberty and of glory!

"And ye generations of the future, you will often look back to this memorable epoch. You will transfer the names of traitors and of rebels from the faithful people of America, to those who have merited them. Your eyes will penetrate all the iniquity of this scheme of despotism, recently plotted by the British government. You will see good kings misled by perfidious ministers, and virtuous ministers by perfidious kings. You will perceive that if at first the sovereigns of Great Britain shed tears in commanding their subjects to accept atrocious laws, they soon gave themselves up to joy in the midst of murder, expecting to see a whole continent drenched in the blood of freemen. O, save the human race from the last outrages, and render a noble justice to the American colonies. Recall to life the ancient Roman and British eloquence; and be not niggardly of merited praises towards those who have bequeathed you liberty. It costs us floods of gold and of blood; it costs us, alas! the life of Warren."

### Commander in chief—Washington.

It seemed right that we should collect the following articles, and present them *together*, as con-

taining, in themselves, the best portrait of the father of his country, drawn by himself, that we had the power to offer—though in detached parts, they must needs be familiar to the American people.

The articles are—

1. Washington's acceptance of the command of the armies of the United States, June 16, 1775.
2. his letter to the president of congress Sept. 24, 1776.
3. His general orders to the army, April 18, 1781.
4. His circular to the governors of the several states—June 18, 1783.
5. On resigning his commission to congress, assembled at Annapolis, 1783.
6. His speech to the first congress, under the constitution, April 30, 1789.

To which we might have added his farewell address on retiring from the presidency, but that is in the hands of every body; and it does not properly come within the scope of the contents of this volume.

Errors.

*Speech of gen. Washington to congress on accepting his commission, June 15th, 1775.*

Mr. President—Though I am truly sensible of the high honor done me, in this appointment, yet I feel great distress, from a consciousness that my abilities and military experience may not be equal to the extensive and important trust: However, as the congress desire it, I will enter upon the momentous duty, and exert every power I possess in their service, and for support of the glorious cause. I beg they will accept my most cordial thanks for this distinguished testimony of their approbation.

"But, lest some unlucky event should happen, unfavorable to my reputation, I beg it may be remembered, by every gentleman in the room, that I, this day, declare with the utmost sincerity, I do not think myself equal to the command I am honored with.

"As to pay, sir, I beg leave to assure the congress, that, as no pecuniary consideration could have tempted me to accept this arduous employment, at the expense of my domestic ease and happiness, I do not wish to make any profit from it. I will keep an exact account of my expenses. Those, I doubt not, they will discharge, and that is all I desire."

*To John Hancock, esq. president of congress.*

*Colonel Morris's on the Heights of Harlem, }  
Sept. 24th, 1776.*

Sir—From the hours allotted to sleep, I will borrow a few moments to convey my thoughts, on

undry important matters, to congress. I shall offer them with the sincerity which ought to characterize the man of candour, and with the freedom which may be used in giving useful information, without incurring the imputation of presumption.

We are now, as it were, upon the eve of another dissolution of our army. The remembrance of the difficulties which happened upon the occasion last year, the consequences which might have followed the change, if proper advantages had been taken by the enemy, added to a knowledge of the present temper and situation of the troops, reflect but a very gloomy prospect upon the appearance of things now, and satisfy me beyond the possibility of doubt, that, unless some speedy and effectual measures are adopted by congress, our cause will be lost.

It is in vain to expect, that any, or more than a trifling part of this army will again engage in the service on the encouragement offered by congress. When men find that their townsmen and companions are receiving twenty, thirty, and more, dollars for a few months' service (which is truly the case) it cannot be expected, without using compulsion; and to force them into the service, would answer no valuable purpose. When men are irritated, and the passions inflamed, they fly hastily and cheerfully to arms: but after the first emotions are over, a soldier reasoned with upon the goodness of the cause he is engaged in, and the inestimable rights he is contending for, hears you with patience, and acknowledges the truth of your observation, but adds, that it is of no more importance to him than others. The officer makes you the same reply, with this further remark, that his pay will not support him, and he cannot ruin himself and family to serve his country, when every member of the community is equally interested and benefited by his labors.

It becomes evidently clear then, that, as this contest is not likely to be the work of a day; as the war must be carried on systematically; and to do it you must have good officers; there are, in my judgment, no other possible means to obtain them, but by establishing your army upon a permanent footing, and giving your officers good pay. This will induce gentlemen, and men of character, to engage: and, till the bulk of your officers are composed of such persons as are actuated by principles of honor and a spirit of enterprize, you have little to expect from them. They ought to have

such allowances as will enable them to live like, and support the characters of, gentlemen. Besides, something is due to the man who puts his life in your hands, hazards his health, and forsakes the sweets of domestic enjoyment. Why a captain in the continental service should receive no more than five shillings currency per day, for performing the same duties that an officer of the same rank in the British service receives ten shillings sterling for, I never could conceive, especially when the latter is provided with every necessary he requires, upon the best terms, and the former can scarcely procure them at any rate. There is nothing that gives a man consequence, and renders him fit for command, like a support that renders him independent of every body but the state he serves.

With respect to the men, nothing but a good bounty can obtain them upon a permanent establishment; and for no shorter time than the continuance of the war, ought they to be engaged, as facts incontestibly prove that the difficulty and cost of enlistments increase with time. When the army was first at Cambridge, I am persuaded the men might have been got, without a bounty, for the war. After this, they began to see that the contest was not likely to end so, speedily as was imagined, and to feel their consequence by remarking, that, to get in the militia in the course of the last year, many towns were induced to give them a bounty.

Foreseeing the evils resulting from this, and the destructive consequences which unavoidably would follow short enlistments, I took the liberty, in a long letter, (date not recollected, as my letter book is not here) to recommend the enlistments for and during the war, assigning such reasons for it as experience has since convinced me were well founded. At that time, twenty dollars would, I am persuaded, have engaged the men for this term. But it will not do to look back: and, if the present opportunity is slipped, I am persuaded that twelve months more will increase our difficulties fourfold. I shall therefore take the freedom of giving it as my opinion, that a good bounty be immediately offered, aided by the proffer at least a hundred, or a hundred and fifty acres of land, and a suit of clothes and blanket, to each non-commissioned officer and soldier; as I have good authority for saying, that, however high the men's pay may appear, it is barely sufficient, in the present scarcity and dearth of all kinds of goods, to keep them in clothes, much less afford support to their families.



If this encouragement then is given to the men, and such pay allowed the officers as will induce gentlemen of character and liberal sentiments to engage, and proper care and precaution used in the nomination (having more regard to the characters of persons than the number of men they can enlist) we should, in a little time, have an army able to cope with any that can be opposed to it, as there are excellent materials to form one. But while the only merit an officer possesses, is his ability to raise men; while those men consider and treat him as an equal, and, in the character of an officer, regard him no more than a broom-stick, being mixed together as one common herd, no order nor discipline can prevail; nor will the officer ever meet with that respect which is essentially necessary to due subordination.

To place any dependence upon militia is assuredly resting upon a broken staff: men just dragged from the tender scenes of domestic life; unaccustomed to the din of arms; totally unacquainted with every kind of military skill; which, being followed by a want of confidence in themselves, when opposed to troops regularly trained, disciplined, and appointed; superior in knowledge and superior in arms, makes them timid and ready to fly from their own shadows. Besides, the sudden change in their manner of living, particularly in their lodging, brings on sickness in many, impatience in all; and such an unconquerable desire of returning to their respective homes, that it not only produces shameful and scandalous desertions among themselves, but infuses the like spirit into others.

Again; men accustomed to unbounded freedom and no control, cannot brook the restraint which is indispensably necessary to the good order and government of an army; without which, licentiousness and every kind of disorder triumphantly reign. To bring men to a proper degree of subordination is not the work of a day, a month, or even a year: and, unhappily for us and the cause we are engaged in, the little discipline I have been laboring to establish in the army under my immediate command, is in a manner done away, by having such a mixture of troops as have been called together within these few months.

Relaxed and unfit as our rules and regulations of war are, for the government of an army, the militia (those properly so called; for of these we have two sorts, the six months' men, and those sent in as a temporary aid) do not think themselves sub-

ject to them, and therefore take liberties which the soldier is punished for. This creates jealousy: jealousy begets dissatisfaction; and these, by degrees, ripen into mutiny, keeping the whole army in a confused and disordered state; rendering the time of those who wish to see regularity and good order prevail, more unhappy than words can describe. Besides this, such repeated changes take place, that all arrangement is set at nought, and the constant fluctuation of things deranges every plan as fast as adopted.

These, sir, congress may be assured, are but a small part of the inconveniences which might be enumerated, and attributed to militia: but there is one that merits particular attention, and that is the expense. Certain I am, that it would be cheaper to keep fifty or a hundred thousand in constant pay, than to depend upon half the number, and supply the other half occasionally by militia. The time the latter are in pay, before and after they are in camp, assembling and marching; the waste of ammunition, the consumption of stores, which, in spite of every resolution or requisition of congress, they must be furnished with, or sent home, added to other incidental expenses consequent upon their coming and conduct in camp, surpasses all idea, and destroys every kind of regularity and economy which you could establish among fixed and settled troops, and will, in my opinion, prove, if the scheme is adhered to, the ruin of our cause.

The jealousies of a standing army, and the evils to be apprehended from one, are remote, and, in my judgment, situated and circumstanced as we are, not at all to be dreaded: but the consequence of wanting one, according to my ideas, formed from the present view of things, is certain and inevitable ruin. For, if I was called upon to declare upon oath, whether the militia have been most serviceable or hurtful, upon the whole, I should subscribe to the latter. I do not mean by this, however, to arraign the conduct of congress; in so doing I should equally condemn my own measures, if I did not my judgment: but experience, which is the best criterion to work by, so fully, clearly, and decisively reprobates the practice of trusting to militia, that no man, who regards order, regularity and economy, or who has any regard for his own honor, character, or peace of mind, will risk them upon this issue.

An army formed of good officers moves like clock-work: but there is no situation upon earth less enviable nor more distressing than that per-

son's who is at the head of troops who are regardless of order and discipline, and who are unprovided with almost every necessary. In a word, the difficulties which have forever surrounded me, since I have been in the service, and kept my mind constantly upon the stretch; the wounds which my feelings, as an officer, have received by a thousand things which have happened contrary to my expectations and wishes; added to a consciousness of my inability to govern an army composed of such discordant parts, and under such a variety of intricate and perplexing circumstances, induce, not only a belief, but a thorough conviction in my mind, that it will be impossible, unless there is a thorough change in our military system, for me to conduct matters in such a manner as to give satisfaction to the public, which is all the recompense I aim at, or ever wished for.

Before I conclude, I must apologize for the liberties taken in this letter, and for the blots and scratchings therein, not having time to give it more correctly. With truth I can add, that, with every sentiment of respect and esteem, I am your's and the congress' most obedient, &c.

GEO. WASHINGTON.

*General orders issued by general Washington, to the army.*

*Head Quarters, Chatham, April 18th, 1783.*

The commander in chief orders the cessation of hostilities between the United States of America and the king of Great Britain, to be publicly proclaimed to-morrow at twelve o'clock, at the new building: and that the proclamation which will be communicated herewith, be read to-morrow evening at the head of every regiment and corps of the army; after which the chaplains, with the several brigades, will render thanks to the Almighty God for all his mercies, particularly for his over ruling the wrath of man to his own glory, and causing the rage of war to cease among the nations.

Although the proclamation before alluded to, extends only to the prohibition of hostilities, and not to the annunciation of a general peace, yet it must afford the most rational and sincere satisfaction to every benevolent mind, as it puts a period to a long and doubtful contest, stops the effusion of human blood, opens the prospect to a more splendid scene, and, like another morning star, promises the approach of brighter day than hath hitherto illuminated the western hemisphere. On such a happy day, which is the harbinger of peace, a day which completes the eighth year of the war, it

would be ingratitude not to rejoice; it would be insensibility not to participate in the general felicity.

The commander in chief, far from endeavoring to stifle the feelings of joy in his own bosom, offers his most cordial congratulations on the occasion to all the officers of every denomination; to all the troops of the United States in general; and in particular to those gallant and persevering men who had resolved to defend the rights of their invaded country, so long as the war should continue. For these are men who ought to be considered as the pride and boast of the American army; and who, crowned with well earned laurels, may soon withdraw from the field of glory to the more tranquil walks of civil life. While the commander in chief recollects the almost infinite variety of scenes through which we have past, with a mixture of pleasure, astonishment, and gratitude; while he contemplates the prospects before us with rapture, he cannot help wishing that all the brave, of whatever condition they may be, who have shared the toils and dangers of effecting this glorious revolution; of rescuing millions from the hand of oppression, and of laying the foundation of a great empire, might be impressed with a proper idea of the dignified part they have been called to act, under the smiles of Providence, on the stage of human affairs; for happy, thrice happy! shall they be pronounced hereafter, who have contributed any thing, who have performed the meanest office in erecting this stupendous fabric of freedom and empire, on the broad basis of independency; who have assisted in protecting the rights of human nature, and established an asylum for the poor and oppressed of all nations and religions. The glorious task for which we first flew to arms being accomplished—the liberties of our country being fully acknowledged and firmly secured by the smiles of heaven on the purity of our cause; and the honest exertions of a feeble people, determined to be free, against a powerful nation disposed to oppress them; and the character of those who have persevered, through every extremity of hardship, suffering and danger, being immortalized by the illustrious appellation of the *patriot army*—nothing now remains but for the actors of this mighty scene to preserve a perfect unvarying consistency of character through the very last act, to close the drama with applause; and to retire from the military theatre with the same approbation, of angels and men, which have crowned all their former virtuous actions. For this purpose no disorder or licentiousness must be tolerated. Every considerate and well disposed

## PRINCIPLES AND ACTS OF THE REVOLUTION.

soldier must remember it will be absolutely necessary to wait with patience until peace shall be declared, or congress shall be enabled to take proper measures for the security of the public stores, &c. As soon as these arrangements shall be made, the general is confident, there will be no delay in discharging, with every mark of distinction and honor, all the men enlisted for the war, who will then have faithfully performed their engagements with the public. The general has already interested himself in their behalf, and he thinks he need not repeat the assurance of his disposition to be useful to them on the present, and every other proper occasion. In the mean time, he is determined that no military neglects or excesses shall go unpunished, while he retains the command of the army.

The adjutant-general will have such working parties detached, to assist in making the preparations for a general rejoicing, as the chief engineer of the army shall call for; and the quarter-master general will, without delay, procure such a number of discharges to be printed as will be sufficient for all the men enlisted for the war—he will please to apply to head quarters for the form. An extra ration of liquor to be issued to every man to-morrow to drink "Perpetual peace and happiness to the United States of America."

*General Washington's circular letter to the governor of each of the states, dated*

*Head Quarters, Newburgh, June 18, 1783.*

"SIR—The object for which I had the honor to hold an appointment in the service of my country, being accomplished, I am now preparing to resign it into the hand of congress, and return to that domestic retirement, which, it is well known, I left with the greatest reluctance; a retirement for which I have never ceased to sigh through a long and painful absence, in which, (remote from the noise and trouble of the world,) I meditate to pass the remainder of life, in a state of undisturbed repose; but, before I carry this resolution into effect, I think it a duty incumbent on me to make this my last official communication, to congratulate you on the glorious events which heaven has been pleased to produce in our favor; to offer my sentiments respecting some important subjects, which appear to me to be intimately connected with the tranquility of the United States; to take my leave of your excellency as a public character; and to give my final blessing to that country, in whose service I have spent the prime of my life; for whose sake I have consumed so many anxious days and watch-

ful nights, and whose happiness, being extremely dear to me, will always constitute no inconsiderable part of my own.

"Impressed with the liveliest sensibility on this pleasing occasion, I will claim the indulgence of dilating the more copiously on the subject of our mutual felicitations. When we consider the magnitude of the prize we contended for, the doubtful nature of the contest, and the favorable manner in which it has terminated, we shall find the greatest possible reason for gratitude and rejoicing. This is a theme that will afford infinite delight to every benevolent and liberal mind, whether the event in contemplation be considered as a source of present enjoyment, or the parent of future happiness; and we shall have equal occasion to felicitate ourselves on the lot which Providence has assigned us, whether we view it in a natural, a political, or moral point of light.

"The citizens of America, placed in the most enviable condition, as the sole lords and proprietors of a vast tract of continent, comprehending all the various soils and climates of the world, and abounding with all the necessaries and conveniences of life, are now, by the late satisfactory pacification, acknowledged to be possessed of absolute freedom and independency: they are from this period to be considered as the actors on a most conspicuous theatre, which seems to be peculiarly designed by Providence for the display of human greatness and felicity. Here they are not only surrounded with every thing that can contribute to the completion of private and domestic enjoyment, but heaven has crowned all its other blessings, by giving a surer opportunity for political happiness, than any other nation has ever been favored with. Nothing can illustrate these observations more forcibly than a recollection of the happy conjuncture of times and circumstances, under which our republic assumed its rank among the nations.—The foundation of our empire was not laid in a gloomy age of ignorance and superstition, but at an epocha when the rights of mankind were better understood and more clearly defined, than at any former period. Researches of the human mind after social happiness have been carried to a great extent; the treasures of knowledge acquired by the labors of philosophers, sages, and legislators, through a long succession of years, are laid open for us, and their collected wisdom may be happily applied in the establishment of our forms of government. The free cultivation of letters, the unbounded extension of commerce, the progressive refinement of manners,

the growing liberality of sentiment, and, above all, the pure and benign light of revelation, have had a meliorating influence on mankind, and increased the blessings of society. At this auspicious period, the United States came into existence as a nation; and if their citizens should not be completely free and happy, the fault will be entirely their own.

"Such is our situation, and such are our prospects. But notwithstanding the cup of blessing is thus reached out to us; notwithstanding happiness is ours, if we have a disposition to seize the occasion, and make it our own, yet it appears to me there is an option still left to the United States of America, whether they will be respectable and prosperous, or contemptible and miserable as a nation. This is the time of their political probation: this is the moment when the eyes of the whole world are turned upon them: this is the time to establish or ruin their national character forever: this is the favorable moment to give such a tone to the federal government, as will enable it to answer the ends of its institution; or, this may be the ill-fated moment for relaxing the powers of the union, annihilating the cement of the confederation, and exposing us to become the sport of European politics, which may play one state against another, to prevent their growing importance, and to serve their own interested purposes. For, according to the system of policy the states shall adopt at this moment, they will stand or fall; and, by their confirmation or lapse, it is yet to be decided, whether the revolution must ultimately be considered as a blessing or a curse, not to the present age alone, for with our fate will the destiny of unborn millions be involved.

"With this conviction of the importance of the present crisis, silence in me would be a crime; I will therefore speak to your excellency the language of freedom and sincerity, without disguise. I am aware, however, those who differ from me in political sentiments may, perhaps, remark, I am stepping out of the proper line of my duty; and they may probably ascribe to arrogance or ostentation, what I know is alone the result of the purest intention. But the rectitude of my own heart, which disdains such unworthy motives; the part I have hitherto acted in life; the determination I have formed of not taking any share in public business hereafter, the ardent desire I feel, and shall continue to manifest, of quietly enjoying in private life, after all the toils of war, the benefits of a wise and liberal government, will, I flatter myself,

sooner or later, convince my countrymen, that I could have no sinister views in delivering, with so little reserve, the opinion contained in this address.

"There are four things which, I humbly conceive, are essential to the well being, I may even venture to say, to the existence of the United States, as an independent power.

"1st. An indissoluble union of the states under one federal head.

"2dly. A sacred regard to public justice.

"3dly. The adoption of a proper peace establishment. And,

"4thly. The prevalence of that pacific and friendly disposition among the people of the United States, which will induce them to forget their local prejudices and policies; to make those mutual concessions which are requisite to the general prosperity; and, in some instances, to sacrifice their individual advantages to the interest of the community.

"These are the pillars on which the glorious fabric of our independency and national character must be supported. Liberty is the basis—and whoever would dare to sap the foundation, or overturn the structure, under whatever specious pretext he may attempt it, will merit the bitterest execration, and the severest punishment, which can be inflicted by his injured country.

"On the three first articles I will make a few observations, leaving the last to the good sense and serious consideration of those immediately concerned.

"Under the first head, although it may not be necessary or proper for me in this place to enter into a particular disquisition of the principles of the union, and to take up the great question which has been frequently agitated, whether it be expedient and requisite for the states to delegate a larger proportion of power to congress, or not; yet it will be a part of my duty, and that of every true patriot, to assert, without reserve, and to insist upon the following positions:—That, unless the states will suffer congress to exercise those prerogatives they are undoubtedly invested with by the constitution, every thing must very rapidly tend to anarchy and confusion: That it is indispensable to the happiness of the individual states, that there should be lodged, somewhere, a supreme power to regulate and govern the general concerns of the

confederate Republic, without which the union cannot be of long duration: That there must be a faithful and pointed compliance on the part of every state with the late proposals and demands of congress, or the most fatal consequences will ensue: That whatever measures have a tendency to dissolve the union, or contribute to violate or lessen the sovereign authority, ought to be considered as hostile to the liberty and independence of America, and the authors of them treated accordingly. And, lastly, that, unless we can be enabled by the concurrence of the states to participate of the fruits of the revolution, and enjoy the essential benefits of civil society, under a form of government so free and uncorrupted, so happily guarded against the danger of oppression, as has been devised and adopted by the articles of confederation, it will be a subject of regret, that so much blood and treasure have been lavished for no purpose; that so many sufferings have been encountered without a compensation, and that so many sacrifices have been made in vain. Many other considerations might here be adduced to prove, that, without an entire conformity to the spirit of the union, we cannot exist as an independent power. It will be sufficient for my purpose to mention but one or two, which seem to me of the greatest importance. It is only in our united character as an empire, that our independence is acknowledged, that our power can be regarded, or our credit supported among foreign nations. The treaties of the European powers with the United States of America, will have no validity on a dissolution of the union. We shall be left nearly in a state of nature; or we may find, by our own unhappy experience, that there is a natural and necessary progression from the extreme of anarchy to the extreme of tyranny; and that arbitrary power is most easily established on the ruins of liberty, abused to licentiousness.

"As to the second article, which respects the performance of public justice, congress have, in their late address to the United States, almost exhausted the subject; they have explained their ideas so fully, and have enforced the obligations the states are under to render complete justice to all the public creditors, with so much dignity and energy, that, in my opinion, no real friend to the honor and independency of America can hesitate a single moment respecting the propriety of complying with the just and honorable measures proposed. If their arguments do not produce conviction, I know of nothing that will have greater influence, especially when we reflect that the sys-

tem referred to, being the result of the collected wisdom of the continent, must be esteemed, if not perfect, certainly the least objectionable of any that could be devised; and that, if it should not be carried into immediate execution, a national bankruptcy, with all its deplorable consequences, will take place before any different plan can possibly be proposed or adopted; so pressing are the present circumstances, and such is the alternative now offered to the states.

"The ability of the country to discharge the debts which have been incurred in its defence, is not to be doubted; and inclination, I flatter myself, will not be wanting. The path of our duty is plain before us; honesty will be found, on every experiment, to be the best and only true policy. Let us then, as a nation, be just; let us fulfil the public contracts which congress had undoubtedly a right to make for the purpose of carrying on the war, with the same good faith we suppose ourselves bound to perform our private engagements. In the mean time, let an attention to the cheerful performance of their proper business, as individuals, and as members of society, be earnestly inculcated on the citizens of America; then will they strengthen the hands of government, and be happy under its protection. Every one will reap the fruit of his labors: every one will enjoy his own acquisitions, without molestation and without danger.

"In this state of absolute freedom and perfect security, who will grudge to yield a very little of his property to support the common interests of society, and ensure the protection of government? Who does not remember the frequent declarations at the commencement of the war—that we should be completely satisfied if, at the expense of one half, we could defend the remainder of our possessions? Where is the man to be found, who wishes to remain in debt, for the defence of his own person and property, to the exertions, the bravery, and the blood of others, without making one generous effort to pay the debt of honor and of gratitude? In what part of the continent shall we find any man, or body of men, who would not blush to stand up and propose measures purposely calculated to rob the soldier of his stipend, and the public creditor of his due? And were it possible that such a flagrant instance of injustice could ever happen, would it not excite the general indignation, and tend to bring down upon the authors of such measures the aggravated vengeance of Heaven? If, after all, a spirit of

disunion, or a temper of obstinacy and perverseness should manifest itself in any of the states; if such an ungracious disposition should attempt to frustrate all the happy effects that might be expected to flow from the union; if there should be a refusal to comply with requisitions for funds to discharge the annual interest of the public debts; and if that refusal should revive all those jealousies, and produce all those evils, which are now happily removed, congress, who have in all their transactions shown a great degree of magnanimity and justice, will stand justified in the sight of God and man! and that state alone, which puts itself in opposition to the aggregate wisdom of the continent, and follows such mistaken and pernicious councils, will be responsible for all the consequences.

"For my own part, conscious of having acted, while a servant of the public, in the manner I conceived best suited to promote the real interests of my country; having, in consequence of my fixed belief, in some measure pledged myself to the army, that their country would finally do them complete and ample justice, and not wishing to conceal any instance of my official conduct from the eyes of the world, I have thought proper to transmit to your excellency the enclosed collection of papers, relative to the half pay and commutation granted by congress, to the officers of the army. From these communications my decided sentiment will be clearly comprehended, together with the conclusive reasons which induced me, at an early period, to recommend the adoption of this measure in the most earnest and serious manner. As the proceedings of congress, the army, and myself, are open to all, and contain, in my opinion, sufficient information to remove the prejudices and errors which may have been entertained by any, I think it unnecessary to say any thing more than just to observe, that the resolutions of congress, now alluded to, are as undoubtedly and absolutely binding upon the United States, as the most solemn acts of confederation or legislation.

"As to the idea which, I am informed, has in some instances prevailed, that the half pay and commutation are to be regarded merely in the odious light of a pension, it ought to be exploded forever; that provision should be viewed, as it really was, a reasonable compensation offered by congress, at a time when they had nothing else to give to officers of the army, for services then to be performed. It was the only means to prevent a total dereliction of the service. It was a part

of their hire, I may be allowed to say, it was the price of their blood, and of your independency. It is therefore more than a common debt; it is a debt of honor; it can never be considered as a pension, or gratuity, nor cancelled until it is fairly discharged.

"With regard to the distinction between officers and soldiers, it is sufficient that the uniform experience of every nation of the world, combined with our own, proves the utility and propriety of the discrimination. Rewards, in proportion to the aid the public draws from them, are unquestionably due to all its servants. In some lines, the soldiers have, perhaps, generally, had as ample compensation for their services, by the large bounties which have been paid them, as their officers will receive in the proposed commutation; in others, if, besides the donation of land, the payment of arrearages of clothing and wages, (in which articles all the component parts of the army must be put upon the same footing,) we take into the estimate the bounties many of the soldiers have received, and the gratuity of one year's full pay, which is promised to all, possibly their situation, (every circumstance being duly considered,) will not be deemed less eligible than that of the officers.—Should a farther reward, however, be judged equitable, I will venture to assert, no man will enjoy greater satisfaction than myself, in an exemption from taxes for a limited time, (which has been petitioned for in some instances,) or any other adequate immunity or compensation granted to the brave defenders of their country's cause. But neither the adoption or rejection of this proposition will, in any manner, affect, much less militate against, the act of congress, by which they have offered five years' full-pay, in lieu of the half-pay for life, which had been before promised to the officers of the army.

"Before I conclude the subject on public justice, I cannot omit to mention the obligations this country is under to that meritorious class of veterans, the non-commissioned officers and privates, who have been discharged for inability, in consequence of the resolution of congress, of the 23d of April, 1782, on an annual pension for life. Their peculiar sufferings, their singular merits and claims to that provision, need only to be known, to interest the feelings of humanity in their behalf. Nothing but a punctual payment of their annual allowance, can rescue them from the most complicated misery; and nothing could be a more melancholy and distressing sight, than to behold those who have

shed their blood, or lost their limbs in the service of their country, without a shelter, without a friend, and without the means of obtaining any of the comforts or necessities of life, compelled to beg their bread daily from door to door. Suffer me to recommend those of this description, belonging to your state, to the warmest patronage of your excellency and your legislature.

"It is necessary to say but a few words on the third topic which was proposed, and which regards particularly the defence of the republic—as there can be little doubt but congress will recommend a proper peace establishment for the United States, in which a due attention will be paid to the importance of placing the militia of the union upon a regular and respectable footing. If this should be the case, I should beg leave to urge the great advantage of it in the strongest terms.

"The militia of this country must be considered as the palladium of our security, and the first effectual resort in case of hostility. It is essential, therefore, that the same system should pervade the whole; that the formation and discipline of the militia of the continent should be absolutely uniform; and that the same species of arms, accoutrements, and military apparatus, should be introduced in every part of the United States. No one, who has not learned it from experience, can conceive the difficulty, expense, and confusion, which result from a contrary system, or the vague arrangements which have hitherto prevailed.

"If, in treating of political points, a greater latitude than usual has been taken in the course of the address, the importance of the crisis, and the magnitude of the objects in discussion, must be my apology. It is, however, neither my wish nor expectation, that the preceding observations should claim any regard, except so far as they shall appear to be dictated by a good intention, consonant to the immutable rules of justice; calculated to produce a liberal system of policy, and founded on whatever experience may have been acquired, by a long and close attention to public business. Here I might speak with more confidence, from my actual observations; and if it would not swell this letter, (already too prolix,) beyond the bounds I had prescribed myself, I could demonstrate to every mind open to conviction, that, in less time, and with much less expense than has been incurred, the war might have been brought to the same happy conclusion, if the resources of the continent could have been properly called

forth; that the distresses and disappointments which have very often occurred, have, in too many instances, resulted more from a want of energy in the continental government, than a deficiency of means in the particular states; that the inefficiency of the measures, arising from the want of an adequate authority in the supreme power, formed partial compliance with the requisitions of congress, in some of the states, and from a failure of punctuality in others, while they tended to damp the zeal of those who were more willing to exert themselves, served also to accumulate the expenses of the war, and to frustrate the best concerted plans; and that the discouragement occasioned by the complicated difficulties and embarrassments, in which our affairs were by this means involved, would have long ago produced the dissolution of any army, less patient, less virtuous, and less persevering, than that which I have had the honor to command. But while I mention these things which are notorious facts, as the defects of the federal constitution, particularly in the prosecution of a war, I beg it may be understood, that, as I have ever taken a pleasure in gratefully acknowledging the assistance and support I have derived from every class of citizens, so I shall always be happy to do justice to the unparalleled exertions of the individual states, on many interesting occasions.

"I have thus freely disclosed what I wished to make known, before I surrendered up my public trust to those who committed it to me. The task is now accomplished; I now bid adieu to your excellency, as the chief magistrate of your state; at the same time I bid a last farewell to the cares of office, and all the employments of public life.

"It remains, then, to be my final and only request, that your excellency will communicate these sentiments to your legislature, at their next meeting; and that they may be considered as the legacy of one who has ardently wished, on all occasions, to be useful to his country, and who, even in the shade of retirement, will not fail to implore the Divine benediction upon it.

"I now make it my earnest prayer, that God would have you, and the state over which you preside, in his holy protection; that he would incline the hearts of the citizens to cultivate a spirit of subordination and obedience to government; to entertain a brotherly affection and love for one another; for their fellow-citizens of the United States at large, and particularly for their

brethren who have served in the field; and, finally, that he would most graciously be pleased to dispose us all to do justice, to love mercy, and to demean ourselves with that charity, humility, and pacific temper of the mind, which were the characteristics of the Divine Author of our blessed religion; without an humble imitation of whose example, in these things, we can never hope to be a happy nation.

"I have the honor to be, with much esteem and respect, sir, your excellency's most obedient and most humble servant."

"GEO. WASHINGTON."

*General Washington to the president of congress on resigning his commission—1783.*

"Mr. President—The great events on which my resignation depended, having at length taken place, I have now the honor of offering my sincere congratulations to congress, and of presenting myself before them to surrender into their hands the trust committed to me, and to claim the indulgence of retiring from the service of my country.

"Happy in the confirmation of our independence and sovereignty, and pleased with the opportunity afforded the United States of becoming a respectable nation, I resign, with satisfaction, the appointment I accepted with diffidence; a diffidence in my abilities to accomplish so arduous a task, which, however, was superseded by a confidence in the rectitude of our cause, the support of the Supreme Power of the union, and the patronage of Heaven.

"The successful termination of the war has verified the most sanguine expectations; and my gratitude for the interposition of Providence, and the assistance I have received from my countrymen, increases with every review of the momentous contest.

"While I repeat my obligations to the army in general, I should do injustice to my own feelings, not to acknowledge, in this place, the peculiar services and distinguished merits of the persons who have been attached to my person during the war. It was impossible the choice of confidential officers to compose my family could have been more fortunate. Permit me, sir, to recommend in particular, those who have continued in the service to the present moment, as worthy of the favorable notice and patronage of congress.

"I consider it as an indispensable duty to close this last solemn act of my official life, by com-

mending the interests of our dearest country to the protection of Almighty God, and those who have the superintendence of them, to his holy keeping.

"Having now finished the work assigned me, I retire from the great theatre of action; and, bidding an affectionate farewell to this august body, under whose orders I have long acted, I here offer my commission, and take my leave of all the employments of public life."

*President Washington's speech to the first congress, April 30th, 1789.*

*Fellow-citizens of the senate*

*and of the house of representatives:*

Among the vicissitudes incident to life, no event could have filled me with greater anxieties than that, of which the notification was transmitted by your order, and received on the 4th day of the present month. On the one hand, I was summoned by my country, whose voice I can never hear but with veneration and love, from a retreat which I had chosen with the fondest predilection, and, in my flattering hopes, with an immutable decision as the asylum of my declining years; a retreat which was rendered every day more necessary as well as more dear to me, by the addition of habit to inclination, and of frequent interruptions in my health to the gradual waste committed on it by time: on the other hand, the magnitude and difficulty of the trust to which the voice of my country called me, being sufficient to awaken, in the wisest and most experienced of her citizens, a distrustful scrutiny into his qualifications, could not but overwhelm with despondence one, who, inheriting inferior endowments from nature, and unpractised in the duties of civil administration, ought to be peculiarly conscious of his own deficiencies. In this conflict of emotions, all I dare aver is, that it has been my faithful study to collect my duty from a just appreciation of every circumstance by which it might be affected. All I dare hope is, that if, in executing this task, I have been too much swayed by a grateful remembrance of former instances, or by an affectionate sensibility to this transcendent proof of the confidence of my fellow-citizens, and have thence too little consulted my incapacity as well as disinclination for the weighty and untried cares before me, my error will be palliated by the motives which misled me, and its consequences be judged by my country, with some share of the partiality in which they originated.

Such being the impressions under which I have, in obedience to the public summons, repaired to



the present station, it would be peculiarly improper to omit, in this first official act, my fervent supplications to that Almighty Being, who rules over the universe, who presides in the councils of nations, and whose providential aids can supply every human defect, that his benedictions may consecrate to the liberties and happiness of the people of the United States, a government instituted by themselves for these essential purposes, and may enable every instrument employed in its administration, to execute, with success, the functions allotted to his charge. In tendering this homage to the Great Author of every public and private good, I assure myself that it expresses your sentiments not less than my own; nor those of my fellow-citizens at large less than either. No people can be bound to acknowledge and adore the invisible hand which conducts the affairs of men, more than the people of the United States. Every step, by which they have advanced to the character of an independent nation, seems to have been distinguished by some token of providential agency. And, in the important revolution just accomplished, in the system of their united government, the tranquil deliberations and voluntary consent of so many distinct communities, from which the event has resulted, cannot be compared with the means by which most governments have been established, without some return of pious gratitude, along with an humble anticipation of the future blessings, which the past seem to presage. These reflections, arising out of the present crisis, have forced themselves too strongly on my mind to be suppressed. You will join with me, I trust, in thinking that there are none under the influence of which, the proceedings of a new and free government can more auspiciously commence.

By the article establishing the executive department, it is made the duty of the president "to recommend to your consideration, such measures as he shall judge necessary and expedient." The circumstances under which I now meet you, will acquit me from entering into that subject farther than to refer you to the great constitutional charter under which we are assembled; and which, in defining your powers, designates the objects to which your attention is to be given. It will be more consistent with those circumstances, and far more congenial with the feelings which actuate me, to substitute, in place of a recommendation of particular measures, the tribute that is due to the talents, the rectitude, and the patriotism which adorn the characters selected to devise and adopt

them. In these honorable qualifications, I hold the surest pledges, that on, on one side, no latent prejudices or attachments, no separate views or party animosities, will misdirect the comprehensive and equal eye which ought to watch over this great assemblage of communities and interests; on another, that the foundations of our national policy will be laid in the pure and immutable principles of private morality; and the pre-eminence of a free government be exemplified by all the attributes which can win the affections of its citizens, and command the respect of the world.

I dwell on this prospect with every satisfaction which an ardent love for my country can inspire; since there is no truth more thoroughly established than that there exists, in the economy and course of nature, an indissoluble union between virtue and happiness—between duty and advantage—between the genuine maxims of an honest and magnanimous policy and the solid rewards of public prosperity and felicity—since we ought to be no less persuaded that the propitious smiles of Heaven can never be expected on a nation that disregards the eternal rules of order and right which Heaven itself has ordained—and since the preservation of the sacred fire of liberty, and the destiny of the republican model of government, are justly considered as deeply, perhaps, as finally staked, on the experiment entrusted to the hands of the American people.

Besides the ordinary objects submitted to your care, it will remain with your judgment to decide how far an exercise of the occasional power delegated by the fifth article of the constitution is rendered expedient, at the present juncture, by the nature of objections which have been urged against the system, or by the degree of inquietude which has given birth to them. Instead of undertaking particular recommendations on this subject, in which I could be guided by no lights derived from official opportunities, I shall again give way to my entire confidence in your discernment and pursuit of the public good: For, I assure myself, that, whilst you carefully avoid every alteration which might endanger the benefits of an united and effective government, or which ought to await the future lessons of experience, a reverence for the characteristic rights of freemen, and a regard for the public harmony, will sufficiently influence your deliberations on the question, how far the former can be more impregnably fortified, or the latter be safely and more advantageously promoted.

To the preceding observations I have one to add, which will be most properly addressed to the house of representatives. It concerns myself, and will therefore be as brief as possible. When I was first honored with a call into the service of my country, then on the eve of an arduous struggle for its liberties, the light in which I contemplated my duty, required that I should renounce every pecuniary compensation. From this resolution I have in no instance departed. And being still under the impressions which produced it, I must decline, as inapplicable to myself, any share in the personal emoluments, which may be indispensably included in a permanent provision for the executive department; and must accordingly pray that the pecuniary estimates for the station in which I am placed, may, during my continuation in it, be limited to such actual expenditures as the public good may be thought to require.

Having thus imparted to you my sentiments, as they have been awakened by the occasion which brings us together, I shall take my present leave, but not without resorting once more to the benign Parent of the human race, in humble supplication, that, since he has been pleased to favor the American people with opportunities for deliberating in perfect tranquility, and dispositions for deciding with unparalleled unanimity, on a form of government for the security of their union, and the advancement of their happiness, so his Divine Blessing may be equally conspicuous in the enlarged views, the temperate consultations, and the wise measures on which the success of this government must depend.

### Collection of Scraps

FROM VARIOUS SOURCES.

On the 8th April, 1782, an action took place at the entrance of the Delaware bay, between an American sloop of war, commanded by capt. Barney, called the Hyder Alley, mounting 16 six pounders, and carrying 110 men; and the British sloop of war General Monk, under capt. Rogers, of 20 nine pounders, and 136 men. The former had four men killed and eleven wounded; the latter twenty killed and thirty-three wounded. In the navy department at Washington is a representation of this action. On the left of the painting appears Cape Henlopen light-house, and on the right, the point of Cape May. In the centre is seen the Hyder Ally and General Monk engaged, the latter in the act of striking her colors. In front is the frigate Quebec, which, not finding sufficient water in Cape

May channel, was obliged to go round the Overfall Shoals to get into the bay. It was during this time that the action took place. To the right of the fighting ships, the English brig Fair American, of 16 guns, is seen chasing and firing at one of the Hyder Ally's convoy, which escaped under the Jersey shore. At a distance is seen the vessels convoyed by the Hyder Ally steering up the bay.

#### RECAPITULATION.

	guns	p.	lbs.	men	kd.	wd.
Hyder Ally,	16.	6	is 96	110	4	11
	guns	p.	lbs.	men	kd.	wd.
Gen. Monk,	20	9	180	136	20	33

The night on which the American troops crossed the Delaware was cold—the ice making on the river. The morning was ushered in with a heavy storm of rain and sleet; the soldiers were exhausted with fatigue, and their arms rendered, in some degree, useless by the rain. In this situation, gen. Sullivan, who commanded the advance, sent col. William Smith, one of his aids, to inform general Washington of the state of his troops, and that he could depend on nothing but the bayonet, in the impending attack, being then within a short distance of Trenton. General Washington answered him in a voice of thunder, and with the countenance of a hero, "Go back, sir, immediately, and tell general Sullivan to go on!"

The above anecdote was related by col. Smith, a short time after the event, who added, that he never saw a face so awfully sublime as general Washington's when he addressed him.

*The churches.* Extract from a sermon preached at New York, by the rev. Dr. Rodgers, Dec. 11, 1783, the day appointed by congress as a public thanksgiving throughout the United States.

"It is much to be lamented, that the troops of a nation who has been considered as one of the bulwarks of the reformation, should act as if they had waged war with the God whom Christians adore. They have, in the course of this war, utterly destroyed more than fifty places of worship in these states. Most of these they burnt, others they levelled with the ground, and in some places left not a vestige of their former situation; while they have wantonly defaced, or rather destroyed others, by converting them into barracks, jails, hospitals, riding schools, &c. Boston, Newport, Philadelphia and Charleston, all furnished melancholy instances of this prostitution and abuse of the houses of God;—and of nineteen places of public worship in this city, when the war began, there were but

nine fit for use when the British troops left it. It is true, Trinity church, and the old Lutheran, were destroyed by the fire, that laid waste so great a part of the city, a few nights after the enemy took possession of it; the fire was occasioned by the carelessness of *their* people, and they *prevented* its more speedy extinguishment. But the ruinous situation in which they left two of the Low Dutch Reformed churches, the three Presbyterian churches, the French Protestant church, the Anabaptist church, and the Friends new meeting house, was the effect of *design*, and strongly marks their enmity to those societies."

Of the middle Dutch church, which, in the beginning of the war, was used by the British as a *prison*, and afterwards converted into a *riding school*, the venerable Dr. Livingston thus expresses himself, in a sermon, delivered July 4, 1790, when it was for the first time opened for public worship, after being repaired:

"I dare not speak of the wanton cruelty of those who destroyed this temple, nor repeat the various indignities which have been perpetrated. It would be easy to mention facts which would chill your blood! A recollection of the groans of dying prisoners, which pierced this ceiling, or the sacrilegious shouts and rough feats of horsemanship exhibited within these walls, might raise sentiments in your minds which would, perhaps, not harmonize with those religious affections, which I wish, at present, to promote, and always to cherish."

THE SURRENDER AT YORKTOWN. *From the Richmond Compiler, of April 10, 1818.* As every incident connected with our revolutionary history, is interesting to the great mass of the people, I shall solicit a niche in your paper to answer an inquiry in a late Compiler, concerning the surrender of the British army at Yorktown, Virginia; and hope that your readers will experience the *same* pleasure in reading the account, that I enjoy in the narration:

"At two o'clock in the evening, Oct. 19th, 1781, the British army, led by general O'Hara, marched out of its lines, with colors cased and drums beating a British march.

"It will be seen in the sequel, that O'Hara, and not Cornwallis, surrendered the British army to the allied forces of France and America. In this affair, lord Cornwallis seemed to have lost all his former magnanimity and firmness of character,—he sunk beneath the pressure of his misfortunes, and for a moment gave his soul up to chagrin and sorrow.

"The road through which they marched was lined with spectators, French and American. On one side the commander in chief, surrounded by his suite and the American staffs, took his station; on the other side opposite to him, was the count de Rochambeau, in like manner attended. The captive army approached, moving slowly in column, with grace and precision.

"Universal silence was observed amidst the vast concourse, and the utmost decency prevailed, exhibiting in demeanor an awful sense of the vicissitudes of human life, mingled with commiseration for the unhappy. The head of the column approached the commander in chief—O'Hara, mistaking the circle, turned to that on his left for the purpose of paying his respects to the commander in chief, and requesting further orders; when quickly discovering his error, with embarrassment in his countenance, he flew across the road, and advancing up to Washington, asked pardon for his mistake, apologized for the *absence of lord Cornwallis*, and begged to know his further pleasure.

"The general feeling his embarrassment, relieved it by referring him, with much politeness, to general Lincoln for his government. Returning to the head of the column, it again moved, under the guidance of Lincoln, to the field selected for the conclusion of the ceremony.

"Every eye was turned, searching for the British commander in chief, anxious to look at that man heretofore so much their dread. All were disappointed.

"Cornwallis held himself back from the humiliating scene; obeying sensations which his great character ought to have stifled. He had been unfortunate, not from any false step or deficiency of exertion on his part, but from the infatuated policy of his superior, and the united power of his enemy brought to bear upon him alone. There was nothing with which he could reproach himself; there was nothing with which he could reproach his brave and faithful army; why not then *appear* at its head in the day of misfortune, as he had always done in the day of triumph?

"The British general in this instance deviated from his usual line of conduct, dimming the splendor of his long and brilliant career.

"Thus ended the important co-operation of the allied forces. Great was the joy diffused throughout our infant empire."

I cannot end this interesting detail as recorded by Henry Lee, without giving you his panegyric on the father of our country.

"This wide acclaim of joy and of confidence, as rare as sincere, sprung not only from the conviction that our signal success would bring in its train the blessings of peace, so wanted by our wasted country. And from the splendor with which it encircled our national name, but from the endearing reflection that the mighty exploit had been achieved by our faithful, beloved Washington. We had seen him struggling throughout the war with inferior force against the best troops of England, assisted by her powerful navy; surrounded by difficulties, oppressed by want; never dismayed, never appalled, *never despairing* of the commonwealth.

"We have seen him renouncing his fame as a soldier, his safety as a man; in his unalloyed love of country, weakening his own immediate force to strengthen that of his lieutenants; submitting with equanimity to his own consequent inability to act, and rejoicing in their triumphs, became best calculated to uphold the great cause entrusted to his care; at length, by one great and final exploit, under the benign influence of Providence,\* lifted to the pinnacle of glory, the rewards of his toil, his sufferings, his patience, his heroism, and his virtue. Wonderful man! rendering it difficult by his conduct throughout life to decide whether he most excelled in goodness or in greatness."

*Revolutionary soldiers of Connecticut.*

Among the applicants for pensions was lieutenant M. who obtained his title by his valor. His declaration was made out in due form, and certified by the judge who knew him well, and could safely attest his merits and his services. The needy veteran possessed an infirmity which rendered him unable to write his name, and, in signing the necessary documents, he could only make *his mark*. At the storming of Fort Montgomery, by the British, he was in the act of touching off a cannon, loaded to the muzzle with every kind of missile, when a shot carried away his arm, and the match dropped upon the ground; he immediately seized it with his left hand, and fired the piece, at the very point and at

\*When I trace the heroes of seventy six through all their countless difficulties and hardships—when I behold all the dangers, and plots which encompassed them, their "hair breadth escapes" and final glorious triumphs—I am as strongly impressed with the belief that our cause was guided by heaven, as that Moses and the Israelites were directed by the finger of God, through the wilderness.

the very instant the enemy were entering the fort, which swept down a whole phalanx of the foe. For this heroic action he was honored with a commission; but in his old age he *could not write his name with his left hand*.

Another of these venerable men, trembling with age, applied for the necessary papers to obtain a pension. The judge enquired where he had served? "Why, first," said he, "in the old French war." Ah, says the judge, you cannot obtain a pension for services at that period; did you serve in the revolutionary army? "O yes, I served all the war, I was at the battle of Bunker's Hill—afterwards at Long Island, and the capture of the Hessians at Trenton—I was at the attack of Germantown, and the battle of Monmouth,—and, finally, at the capture and siege of Yorktown, in Virginia—and," added the old man, his eyes re-kindling with the fire of '76, "*I was the first American sentinel placed at the quarters of lord Cornwallis, after he was an American prisoner.*"

PRIVATE BENEFICENCE.

*From the Philadelphia Centinel.*

The subsequent narrative is no idle fiction of the brain; we vouch for its authenticity, and no doubt but many of our readers are already acquainted with the names and circumstances depicted. We shall ever feel pleasure in embellishing our columns with such instances of private beneficence, so honorable to the cause of humanity, and we cannot but anticipate a concurrence in opinion of our patrons and correspondents.

In the year 1806, a professional gentleman of this city had obtained a judgment, for a few hundred dollars, against an old, infirm gentleman, who had formerly been a commissary to the United States' army, during the revolutionary war, and who, by repeated misfortunes, had become reduced from easy circumstances to absolute penury and distress.—An execution had been taken out, and the advocate called on the sheriff of Philadelphia county, presented it to him and requested that it might be executed immediately. "It shall be done sir," said the minister of justice, and the gentleman was about leaving the apartment, when his ears were saluted with an exclamation not unlike that which greeted corporal Trim, as the beneficent and philanthropic Toby swore, that the lieutenant should not sink, but march. "This execution," said he "shall never be served by —," then turning to his clerk, he continued, "give Mr. — a check for the amount." The greatest astonishment was excited—the eye

of inquiry was turned on the sheriff, but "the form of his visage had changed;" instead of the stern unbecoming features of a minister of justice, his countenance seemed beaming with seraphic mildness and unbounded benevolence—the warm current of life, which for a moment had mantled his cheeks with crimson, had again receded to the heart, but a ray of ethereal sweetness remained, which language is inadequate to portray.

"I could wish," said the gentleman, when his astonishment had in some measure subsided, "that you would so far gratify me as to inform me of the motives which have excited your munificence in the present extraordinary manner." "You shall have my reasons," said the good Samaritan, "and then judge for yourself of the propriety of my conduct." "In the month of December, 1777, which, you will recollect, was just after the battle of Germantown, and when our army had retired to Valley Forge, I obtained from general Washington, under whom I at that time held a captain's commission, a furlough of absence from the army for one month, for the purpose of visiting my wife and three small children. It was at that period of the revolution, when our army had scarcely any thing but their patriotism with which to cover themselves, and little else than a love of liberty to afford them subsistence. I set out on my journey to Cheanut Hill, on foot, consoling myself for the weariness of the way, with the endearing anticipations of again folding to my bosom the partner of my life and the tender pledges of our conjugal affection. As I turned from the high-way into the avenue which led to the scene of my former domestic felicity, and beheld the moon-beams playing on leafless branches of the majestic oaks, which were wont to shadow my humble dwelling, how animated, how exquisite were the sensations which took possession of my breast! I was at that moment at the pinnacle of human felicity—the next precipitated me into the abyss of despair. The house which I fondly anticipated as sheltering all that was near and dear to me, was a smoking heap of smoking ruins. The desolating Briton had been there, and had left me to contemplate, in speechless agony, the devastation of his sacrilegious hand. An appalling silence prevailed, save only when interrupted by the hollow blasts of the evening as they swept through the wide and melancholy waste. The moon, which, at this moment, emitted her feeble rays from behind a cloud, enabled me to discover, at a short distance from this scene of misery and destruction, my shivering wife and children,

and from them it was learned, that the enemy, after having plundered them of their last rag, had set fire to the house, and that one of the unfeeling monsters had cast my little infant into the flames; with much difficulty it was saved by its half-distracted mother. To proceed, however, to that part of the story which accounts for my conduct this morning; as soon as day light appeared, we set out for New Jersey, where I had some relations. The situation of my family was such as could hardly have failed to excite commiseration in a breast less interested for them than mine. Seated in a wretched cart, which was drawn by a decrepit old horse, without clothing sufficient to screen them from the severity of the weather, they were destined to pass another night, with no other shelter than the canopy of heaven, ere they could reach their place of destination. While engaged in meditating in what manner the night could be best passed in our present situation, darkness began to overshadow us; the wind blew with increased violence, and the rain poured down upon us in torrents. It was at this critical juncture, that a horseman approached, and inquired who I was, and whither I was going. After listening to a hasty recital of our misfortunes, he dismounted from his horse, unfastened the *only blanket* which he had to screen himself from the storm that raged, passed it around the neck of my wife, and threw the extremities of it over the heads of my shivering children. Having done this, he dropt a tear upon my hand, as he pressed it between his, gave me his best wishes, and vaulting into his saddle, was out of sight in a moment. And now, need I inform you, that this man was a commissary to the army, and the identical person against whom the iron hand of the law was this morning directed; or could you for a moment believe, that I could seize on the palsied frame of my family's benefactor, and immure it within the cold inhospitable walls of a prison? *God forbid!*" A gleam of exultation flashed across his countenance as the last sentence passed emphatically from his lips. The advocate bowed in silence and retired; the remaining auditors averted their heads, and the benevolent and eloquent speaker passed from before them.

#### PENSIONERS' MUSTER.

The following incidents of the actors in the revolution, may aptly be placed in this collection for preservation. It is copied from the Connecticut Mirror, printed at Hartford, on the 7th August, 1820.

On Tuesday last the county court for this county commenced a special session, for the purpose of

hearing the pensioners of the army of the revolution make oath to their respective estates. The number of applicants amounted to about one hundred and fifty, most of them indicating, in their appearance, the strongest evidence, that necessity alone urged them to make claim for that bounty to which they have the fullest title. The court, after having patiently gone through with the business, declined accepting any compensation, and several gentlemen of the bar, who assisted, followed their generous example. On Wednesday, after the pensioners had all made oath, it happened that among them a drummer and fifer were found, who were immediately furnished with instruments, at the sound of which the war-worn veterans paraded in front of the court house. At their head was placed major Curtis, who acted a distinguished part at the battle of Monmouth, and by his side marched captain Miller, equally distinguished in leading up the "*forlorn hope*" at Stony Point.—Colonel Manross acted as marshal of the day.—By urgent solicitation these gentlemen permitted swords to be buckled to their sides. The venerable band then, almost without exception leaning upon their staves, moved off at the sound of the drum. The scene now presented was affecting beyond description. To see so many of the heroes of the revolution, bending beneath the weight of age, endeavoring to step to the sound of music, which, for a moment, seemed to strengthen their feeble joints, and kindle up in their countenances the remembrance of the deeds of other days, was enough to excite in the coldest bosom the strongest emotions of admiration and gratitude. The scenes of the revolution, associated with this feeble remnant of those who bore a part in them—crowded upon the mind, at one moment elevated with the proudest recollections—then saddened by the melancholy reflection that the same arm which, comparatively but a few years since, was nerved in battle for our defence, now tremblingly reached to the time-worn staff for support.

Having marched up and down almost the whole extent of Main-street, they were led back to the north market, where a frugal and substantial dinner was provided for them by the citizens. The rev. Mr. Cushman was invited to officiate at the table, and when the old soldiers had assembled with cheerful countenances around the convivial board, he prefaced a most pathetic and impressive prayer with the following patriotic observations.

VENERABLE FATHERS:

The interesting occasion on which you are this

day convened, awakens sensations in your withering bosoms more ardent, more solemn, and more important than the hope of pecuniary benefit could possibly inspire. You recollect, with a deep interest, the noble achievements which have been narrated to us by the fireside:—That period which threatened the citizens of these states with a fate more cruel than death, now rushes upon your remembrance, and almost restores that youthful vigour which time had gradually stolen away—that period, when the welfare of our country, the liberties of your persons, the enjoyment of your unalienable rights, and the destiny of your progeny rolled with weight upon your then distressed hearts, now rises to heighten the felicity you then by your valor procured;—that love of liberty which first led our persecuted ancestors to prefer a howling wilderness to their native soil, and prompted them to resist oppression, when they could not escape by flight. They knew that the God who had made them, and had endowed them with the love of peace, intended that they should have a place on the face of the globe, and when they had peaceably withdrawn to these ends of the earth, they planted their standard in this territory, and resolutely called it *theirs*, determined, if the gift of Providence could not ensure a title against the claims of tyranny, to purchase it with their blood. In this laudable determination you took a part; in the conflict which ensued, you hazarded your lives, and while you stand trembling over the graves you have purchased in a peaceful soil, your children shall venerate your grey hairs, and express their gratitude for the privileges transmitted from you. May that spirit which first inspired your bosoms with patriotic valor, descend to your posterity through succeeding generations, and perpetuate the principles and enjoyments of national independence. But while we reverence you, our fathers, as the benefactors of our country, we trace our signal victory to a higher power, and recognize in our first triumph, and in every subsequent enjoyment, the Almighty arm of God.—To him be the praise—to him be our gratitude directed, and to him let us look through a glorious Redeemer for the continuance of civil and religious liberty.

One hundred and twelve of these pensioners then sat down to the table, together with the judges of the court—Major Curtis presiding. After the cloth was removed, the following sentiments were drank, accompanied by cannon, and the whole scene was closed by the patriotic and revolutionary song of 'God save America' in full chorus.

## TOASTS.

I. The American revolution;—the Jordan of *death* between the Egypt of *oppression* and the Canaan of *liberty*.—2 guns.

II. The departed heroes of the revolution; fallen beneath the harvest sickle—but the sun shines not upon a wider field of liberty than has sprung from their deeds.—2 guns.

III. GENERAL GEORGE WASHINGTON—our leader in battle here; may we all be mustered with him in Heaven.—[*Drank standing*].—2 guns.

IV. The surviving patriots of the revolution—may they not survive the liberty they won.—2 guns.

V. General Joseph Warren;—

"Hope for a moment bade the world farewell,  
"And freedom shriek'd as Warren darkly fell."

2 guns.

VI. General Israel Putnam—while alive, neither Danger nor Treason dared look him in the face; even his memory has proved an over-match for titled D-famation.—6 cheers and 2 guns.

VII. The battle of Lexington;—"How great a matter a little fire kindleth!"—2 guns.

VIII. Bunker-Hill—let its thunders never cease to ring in the ears of our enemies.—6 cheers and 2 guns.

IX. Captain Nathan Hale;—the blood of such martyrs is the sure seed of future patriots and heroes.—2 guns.

X. Our pensions:—

"The broken soldier kindly bade to stay—  
"Sat by the fire and talk'd the night away."

XI. The spirit of '76—may it descend to posterity, and ever stand at 4th proof.—2 guns.

XII. The rising generation;—while they enjoy the blessings of liberty, may they never forget those who achieved it.—2 guns.

XIII. *Ourselves*—We must all soon meet where the poverty we now plead shall be our best title to a pension of eternal rest.—2 guns. [*Drank silent and standing.*]

## VOLUNTEERS.

By major Curtis.—The citizens of Hartford;—"We were hungry, and they gave us meat."

By captain Miller.—The batteries of our enemies—may America never want brave sons to storm them.

By major Natch.—May our sons never relinquish the liberties purchased by their fathers at the price of their blood.

*Anecdotes and incidents of the day.*

An old officer to whom was assigned the duty of forming the company, after the line was formed, said with as much strength as age and infirmity would permit—"fellow soldiers! *dress by the right*;" finding that he was not heard upon the two extremes of his company, he exclaimed with new energy—"soldiers, *look to the right*; the soldier's friends are always found on the right."

After the company was formed, they found themselves much annoyed by the spectators, whose eager curiosity led them to encroach too close upon these old veterans, upon which one of the serjeants stepped briskly forward—"Gentlemen," said he, stand back; these men shall not want for room *to-day*—they shall have the whole city if they want it: you may look at us if you will, but you must not press upon our ranks—the British never *dared to do that*.

In the morning after the troops were mustered, it was proposed to major Curtis, an aged and venerable patriot, that he should march at their head, and a sword was accordingly procured for his use. When it was presented to him he strongly declined wearing it, saying that it was now an unfit instrument for his feeble, palsied hand. Upon this an old comrade stepped up—"Major," said he, "you did not behave thus at Monmouth—you raised the standard high at Monmouth battle." "Monmouth! Monmouth!" said the major, "let me feel of it;" then raising the sword aloft, his hand trembling like the aspen, he added—"I *once* could wield it, but the day has gone by—still if you wish it, I will try to carry it."

After a short march the troops were halted a few moments in order to give the more aged and infirm an opportunity to rest. The old major mentioned above, after seating himself upon a stone, observed to the by-standers "that it was pleasant to them to measure their steps once more to the martial drum and fife," but added he with feeling—"Hark! from the tombs—is now our appropriate music."

The second volunteer toast, which was given by captain Miller of this town, may be read with additional interest, when it is known that he was the hero who commanded the *forlorn hope* at the storming of Stony-Point. The story, as we heard it related by a pensioner who was at his side at the time, is worth preserving. Miller, upon reaching

the enemy's works, from his small size, was unable to reach the tops of the piquets; after making one or two unsuccessful leaps, and fearing that he should be preceded by his companions, exclaimed—"throw me into the fort with your bayonets," and he was literally tossed over with the muzzles of their muskets.

The age, infirmities and extreme poverty of these pensioners, was calculated to render the scene peculiarly affecting. Most of them, as appeared by their declarations, possessed little or nothing. A great part of the inventories fell short of fifty dollars, and many of them amounted to a much smaller sum: one, in particular, contained but one item, and that an *empty tobacco box*!

Captain Nathan Hale, whose virtues and misfortunes suggested the sentiment contained in the eighth toast, was a brave and valuable officer belonging to col. Knowlton's regiment of Connecticut light-infantry. He was a native of Coventry, in this state, and graduated at Yale-College in 1773. After the unfortunate battle on Long-Island and the retreat of the American troops to New-York, general Washington became very solicitous to obtain accurate information of the resources and movements of the British army. To spy out an enemy's camp is one of the most difficult and hazardous undertakings which a soldier is ever called upon to execute. But the salvation of America was at stake, and Washington had no difficulty in finding enough who were ready to yield up their lives in her defence. Hale promptly volunteered his services and immediately set forth upon the undertaking. He visited the British army in disguise, and collected all the necessary information, but, just as he was on the eve of returning, he was so unfortunate as to be detected. Circumstances being strongly against him and his inflexible integrity not permitting him to dissemble, he frankly confessed the object of his visit. He was not allowed even the form of a trial, and was barbarously executed the following morning. How unlike was the conduct of the American commander in the case of the unfortunate Andre.—Washington not only gave him every indulgence which the laws of war would allow, but to these he added his sympathy and tears. The following just tribute to the memory of captain Hale is from the pen of the late president Dwight.

Thus did fond virtue wish in vain to save,  
Hale, bright and generous, from a hapless grave;  
With genius' living flame his bosom glow'd,  
And science charm'd him to her blest abode.

In worth's fair path his feet had ventured far,  
The *pride of peace*, the rising *grace of war*,  
In duty firm, in danger calm as ev'n,  
To friends unchanging, and sincere to Heaven.  
How short his course, the prize how early won,  
While weeping friendship mourns her fav'rite gone.

FROM THE CONNECTICUT MIRROR.

*A view of the march of the veterans on Wednesday, occasioned the following:*

They once march'd in glory—their banners were streaming,  
With the glance of the sunbeam, their armour was gleaming;  
Then hopes swelled their bosoms—then firm was their tread—  
And round them the garlands of victory were spread.

Then little they dream'd that the country they lov'd—  
That the country for whom every danger they heav'd,  
Would forget their desert when old age should come on,  
And leave them forsaken—their comforts all gone.

They now march in glory—still memory sheds,  
The brightest of haloes around their hoar heads;  
Though faltering the footstep—though rayless the eye,  
Remembrance still dwells on the days long gone by.

Yea! Saviours and Sires, though the pittance be small,  
Which your country awards—and that pittance your all,  
Though the cold hand of Poverty press on your frames,  
Yet your children shall bless you, and boast of your names.

And when life with its toils and afflictions shall cease,  
O then may you hail the bright Angel of peace,  
Then freemen shall weep o'er the veteran's grave,  
And round it the laurel and cypress shall wave.

Thursday August 3.

A. T.

FROM THE NEW YORK COLUMBIAN.

*Sketch of revolutionary history.*—At the late anniversary meeting of the Medical society of Orange county, an address was delivered by Dr. Arnell, in which he introduced a biography of Dr. TUSTEN, a native of Southold, L. I. who was a distinguished practitioner in the early settlement of that county. In relation to the death of Dr. Tusten, his biographer gives the following interesting sketch of our revolutionary history:

In June, 1779, col. Brandt, who commanded the six nations of Indians, left Niagara, with about 300 warriors and a number of Tories, who had joined that murderous crew, with an intention of destroying the settlements upon the Delaware river, which was then considered as the frontier of our unsettled country. On the 20th of July, he appeared on the west of Minisink—he sent down a party which destroyed the settlement, burnt several houses, and plundered the inhabitants, returning with their ill-gotten booty to the main body, which lay then at Grassy Swamp Brook. An express was immediately dispatched to colonel Tusten, his superior officer. Gen. Allison being then confined in New-



York, having been taken prisoner at the battle of Fort Montgomery—the colonel received the news that evening—he instantly issued orders to the officers of the regiment to rendezvous at Minisink, where he would meet them. Having taken an affectionate, and it proved a final, leave of his family, he collected what few he could, and was at the appointed place by morning. In the after part of that day, about 120 men were collected, when a council was held, to determine whether it would be best to pursue the Indians into the woods; a majority of the officers were in favor of that measure; colonel Tusten, who viewed things in a calm manner and judicious light, was opposed to that plan: he gave, as his reasons for his opposition, that the men were not sufficiently supplied with ammunition for a battle—that there were probably a much greater number of Indians than had been seen—that they were piloted by Tories and Indians well acquainted with the woods, and commanded by Brandt, a well known warrior, who would never risk a battle unless he had superior advantages. To this was answered, that there was no danger of their numbers—that the Indians dare not fight—that they had several cattle and horses which they had plundered from the inhabitants which they must guard or leave upon the appearance of an enemy—that they might be pursued with deliberation until they came to the fording place of the Delaware river, which was near the entrance of Lacawac river into the Delaware, and finally, major Meeker mounted his horse and flourished his sword, requesting all those who were men of courage to follow him, and let the cowards stay behind. This last appeal was too much for American valor, and the men immediately turned out, determined to pursue and destroy the Indians or perish in the attempt. They marched that evening about 17 miles, when they encamped for the night.

In the morning they were overtaken by colonel Mathorn, of the Warwick regiment, who, being the oldest colonel and highest officer in rank, took the command. He called a council and himself opposed the pursuit, but here it was urged that they had a pilot, captain Tyler, who was as well acquainted with the woods as any among their enemies, and who could bring them to a spot most eligible for an attack with perfect safety, and the same scene of bullying was acted by major Meeker, who is well calculated by the poet, "a fool devoid of rule," and the fatal line of march was again commenced. They had not proceeded far before Brandt

discovered them—he ordered a few of his Indians to keep in sight and decoy them to the very spot where they intended to surprise him: but before they reached the place captain Tyler was shot, which damped the spirits of our men. During this confusion a party of Indians hove in sight—colonel H. ordered that no man should fire until they had prepared for a general battle; a large Indian however rode past on a horse which had been stolen from Minisink, and which one of our men knew; the temptation was too great, and our hero fired his rifle and brought the Indian to the ground. The advanced Indians then fired and rushed towards our men, in order to divide them, and about thirty were separated from the main body, who could not afterwards be brought into action. In a few minutes Brandt appeared with his whole force, when the firing became general. A very confused and irregular fire was kept up from behind trees and rocks both by the Indians and our men. From the situation in which they were placed every one fought in his own way and it was impossible for any one to command: colonel Tusten retired to a spot surrounded by rocks, where he directed the wounded to be conveyed to him, and he now became the surgeon and friend of the wounded. Early in the battle he had received a slight wound in the hand, though not sufficient to prevent his dressing the wounds of the soldiers. The battle lasted the whole day; the Indians constantly endeavoring to divide and break the main body which had possession of the ground until sunset, when their ammunition was expended, and a general retreat was ordered—No regularity could be preserved, and every one was left to effect his escape in the best manner he could—some crossed the river, while others were shot in it; some retreated through the woods, while others were destroyed in the attempt; but now a scene presented itself which of all others was the most trying. Dr. Tusten had seventeen with him, whose wounds he had dressed, and whose lives might have been saved—the cries they kept up for mercy and protection when they heard the retreat ordered, begged all description; they were necessarily left to be sacrificed by savage barbarity; and whether Dr. Tusten stayed and perished with his wounded countrymen, or attempted to make his retreat, is not known. This is the last time he was ever seen by any white man, though it is generally believed that he suffered by the same tomahawk which destroyed those that were with him. On this fatal day forty-four of our countrymen fell, some of whom might emphatically be

called the pride and flower of Goshen. Among them was a Jones, a Little, a Duncan, a Wisner, a Vail, a Townsend, and a Knapp; and there perished our friend and brother in profession, Dr. Tusten, a sacrifice for the independence and liberty of our country.

*Washington in want of a pen-knife.*—In Caldwell's life of Greene, p. 65, there is a fac simile of the following curious epistle:

October 7th, 1779.

"Dear sir—I have lost—and cannot tell how—an old and favorite penknife, and am much distressed for want of one—if you have any in your stores, please send me one—if you have not, be so good as to get one immediately. Perhaps Mr. Bailey could furnish me. One with two blades I should prefer, when choice can be had.—I am, dear sir,

"Your most obedient,

"GEO WASHINGTON."

DOMESTIC MANUFACTURES.

"At a town meeting holden in New Haven, by adjournment, upon the 22d day of Feb. 1768.

"The committee appointed in consequence of a letter from the selectmen of the town of Boston to the selectmen of this town, to consider of some measures to be agreed upon for promoting economy, manufactures, &c. report, That it is their opinion, that it is expedient for the town to take all prudent and legal measures to encourage the produce and manufactures of this colony, and to lessen the use of superfluities, and more especially the following articles imported from abroad, viz.

"Carriages of all sorts, house furniture, men's and women's hats, men's and women's apparel, ready made household furniture, men's and women's shoes, sole leather, gold, silver, and thread lace, gold and silver buttons, wrought plate, diamond, stone, and paste ware, clocks, silver-smith's and jeweller's ware, broad cloths that cost above ten shillings sterling per yard, muffs, furs, and tippets, starch, women's and children's toys, silk and cotton velvets, gauze, linseed oil, malt liquors, and cheese.

"And that a subscription be recommended to the several inhabitants and house holders of the town, whereby they may mutually agree and engage, that they will encourage the use and consumption of articles manufactured in the British American colonies, and more especially in this colony, and that they will not, after the 31st day of March next,

— 47.

purchase any of the above enumerated articles, imported from abroad, after the said 31st of March, and that they will be careful to promote the saving of linen rags, and other materials, proper for making paper in this colony.

"The foregoing report being considered by the town, was by a full vote approved of and accepted.

A true copy of record,

Test, SAMUEL BISHOP, jr. town clerk."

COURT MARTIAL.—*From the Providence (R. I.) Patriot.*—A Friend has handed us the following extract from the orderly book of general Sullivan, in command here during the revolution, as being connected with a case somewhat analogous to one which occurred in the Seminole war. We have omitted names, for obvious reasons.

"Head quarters, Providence,  
July 24, 1778.

"The sentence of the court martial, whereof colonel E—— was president, against M. A. and D. C. the general totally disapproves, as illegal and absurd. The clearest evidence having appeared to the court, that the said A. was employed by the enemy, repeatedly, to come on the main as a spy, and that he enticed men to go on to Rhode-Island, to enlist in the enemy's service, and his confessions from day to day being so different as to prove him not only a spy, but to be a person in whom the least confidence cannot be placed; the court having found him guilty of all this, nothing could be more absurd than to sentence him to be whipped one hundred lashes, and afterwards to be taken into a service which he has been long endeavoring in the most malicious and secret manner to injure! The man who is found guilty of acting as a spy, can have but one judgment by all the laws of war, which is to suffer death; and the sentence of a man to be whipped when found guilty of this crime, is as absurd as for the common law courts to order a man to be set in the stocks for wilful murder. The same absurdity appearing in the judgment against D. C. for the same reasons, [the gen.] disapproves them both, dissolves the court, and orders another court to sit for the trial of those persons, to-morrow morning, at 9 o'clock: The adjutant general to lodge a crime against A. for acting as a spy, and for enticing men to enlist into the enemy's service, and against C. for acting as a spy."

At the subsequent court, A. was found guilty as before, and sentenced to be hung, which sentence the general approved and executed.

In storming the works of Quebec by general Montgomery, the gallant captain Cheeseman, of New-York, aid to Montgomery, being as active as he was brave, the moment he reached the picket, placed his hand on one of the palisades, exclaiming to his comrades, 'If there be any honor in being the first man in Quebec, I have it.' He sprung over and fell by a shot within the picket.

When col. Gardner of Brookline was brought off from Bunker's Hill, where he was mortally wounded, he was asked if he did not wish to see his son, who had been also in the battle. 'If my son has done his duty, I shall be glad to see him.' He was answered that his son had done his duty. He saw and embraced him: *Best. Patriot.*

*The first sea fight.*—The late rev. Dr. BENTLEY, of Salem, Mass. whose decease was equally deplored by the friends of religion, patriotism and literature—who for many years enriched the columns of the "Essex Register" with his remarks, when speaking of the revolutionary pension law, seized the opportunity to give us the following interesting scrap of history:

"The following history may discover how a man may engage in the public service, and yet not be qualified according to law for the bounty of a term short of one year's service. Joshua Ward, who belonged to Salem, but who has lived many years in Marblehead, a painter, marched on the 19th of April, to Charlestown neck, as a sifer of the first company in colonel Timothy Pickering's regiment of militia, commanded by capt. William Pickman, and soon after entered the army under captain Thomas Barnes. From Cambridge, he was ordered to Watertown to guard the public stores, and remained at this station till the battle of Bunker's Hill. He then joined the regiment under colonel Mansfield on Prospect Hill, in Charlestown, in the Massachusetts line, and acted as sife-major, till he joined gen. Sullivan's brigade, on Winter Hill, when he was promoted as sife-major general. He continued in the service till the first day of January 1776, when he was discharged, having continued the time of his enlistment. He then entered captain Benjamin Ward's company, and performed garrison duty at fort William and Mary, now fort Pickering, till the 19th of June following. He then volunteered with the first lieutenant Haraden, a well known brave and able officer, with others of his companions, on board the Tyrannicide, a public armed brig of 14 guns and 75 men, commanded by captain John Fiske, afterwards a major

general in Massachusetts, and eminent by his public services. He was in this brig during three cruizes, and was at the taking of eight prizes, the first of which was the king's armed schooner Dispatch, belonging to lord Howe's fleet, then on their passage from Halifax to New-York, it being 10th July. In the engagement one man was killed in the Tyrannicide, three wounded, and one died of his wounds. He continued in this vessel till the 14th of February, 1777, when he returned from a four and an half month's cruise in the West Indies, and all were discharged. He is now 72 years of age. In the action with the Dispatch, which lasted 7 glasses, her commander, John Goodrich, 2d lieut. of the Renown of 50 guns, then in the fleet, was killed, and several men. Mr. More, sailing master, was wounded and his limb amputated. Mr. Collingsain, midshipman, had his limb amputated but he died. The Dispatch was so disabled that they were obliged to take her in tow, and they brought her into Salem, after being out 17 days. The Dispatch had eight carriage guns, 12 swivels, and a compliment of 41 picked men from different ships in the fleet. *This was the first sea fight.* The Tyrannicide was the first vessel that was built for the public service, and her commission was signed by John Hancock. The Dispatch was no prize to the crew, excepting a small bounty on her guns. And yet this worthy man in his poverty, comes not within the letter of the law, and instead of his bounty, must accept a hearty recommendation to the generous care of his fellow-citizens."

#### STRONG MEASURES PROPOSED.

*In congress Oct. 21, 1778.*—"Whereas there is every reason to expect that our unnatural enemies, despairing of being ever able to subdue and enslave us by open force, or persuade us to break through the solemn treaties, as having entered into with our great and good ally, his Most Christian majesty, and return to the dependence of Great Britain, will, as the last effort, ravage, burn, and destroy every city and town on this continent they can come at:

*Resolved,* That it be recommended to such inhabitants of these states, as live in places exposed to the ravages of the enemy, immediately to build huts, at least 30 miles distant from their present habitations, there to convey their women, children, and others not capable of bearing arms, and themselves in case of necessity, together with their furniture, wares, and merchandise of every sort; also, that they send off all their cattle; being measures they cannot think hardships in such times

of public calamity, when so many of their gullant countrymen are daily exposed in the hardships of the field, fighting in defence of their rights and liberties.

*Resolved*, That immediately, when the enemy begin to burn or destroy any town, it be recommended to the good people of these states to set fire to, ravage, burn, and destroy, the houses and properties of all Tories, and enemies to the freedom and independence of America, and secure the persons of such, so as to prevent them from assisting the enemy, always taking care not to treat them or their families with any wanton cruelties, as we do not wish, in this particular, to copy after our enemies, or their German, negro, and copper-coloured allies.

Extract from the minutes,  
CHARLES THOMSON, sec."

LORD CHATHAM thus expressed himself, when speaking in parliament, of the congress that declared independence. "I must declare and avow, that in all my reading and observation, and it has been my favorite study, I have read Thucydides, and have studied and admired the master states of the world, but for solidity of reasoning, force of sagacity and wisdom of conclusion, under such a complication of difficult circumstances, no nation or body of men can stand in preference to the general congress at Philadelphia."

*A brave fellow.*—Among numberless feats of valor performed by individuals of the American revolutionary army, none has pleased me more than the following, related by an eye witness:—"During the heat of the battle at Germantown, while bullets flew as thick as hail-stones, one Barkelew (of Monmouth) was levelling his musket at the enemy, when his lock was carried away by a ball.—Undismayed, he caught up the gun of a comrade just killed by his side, and taking aim, a bullet entered the muzzle, and twisted the barrel round like a corkscrew! Still undaunted, our hero immediately knelt down, unscrewed the whole lock from the twisted barrel, screwed it on to the barrel from which the lock had been torn, and blazed away at the enemy." Can ancient Sparta or modern Britain boast a more brilliant display of cool, deliberate, unshaken courage? This hero is still living.

*Anecdote connected with the surrender at Yorktown.* From the N. Y. "National Advocate"—1818. Baron Steuben commanded in the trenches at the moment

Lord Cornwallis made his overture for capitulation. The proposals were immediately despatched to the commander in chief, and the negotiation, as we say, *progressed*.—The Marquis de la Fayette, whose tour it was next to mount guard in the trenches, marched to relieve the Baron, who, to his astonishment, refused to be relieved. He informed general de la Fayette, that the custom of European war was in his favor, and that it was a point of honor which he could neither give up for himself, nor deprive his troops of—that the offer to capitulate had been made during his guard, and that in the trenches he would remain until the capitulation was signed or hostilities commenced. The Marquis immediately galloped to head quarters:—general Washington decided in favor of the Baron—to the joy of one, and to the mortification of the other of those brave and valuable men. The Baron remained till the business was finished. I should not have sent you this recollection, had I not seen in your paper of this morning an extract from Lee's memoirs relative to the surrender. My anecdote may not be worth much now, but such as it is, it is at your service.

*One who was in the trenches.*

*From the New Orleans Chronicle.*—The following fact, though altogether worthy of being remembered, has never, I believe, been reported by the pen of any historian.

Lest it should be thought a mere fabrication to occupy a vacant column in the newspaper, I think it not unimportant to state, that the subject of this memoir, Mr. Hunter, is well known in Darlington district, South Carolina; and the following narrative, which I had from himself, is familiar to his friends and acquaintances.

Hunter, though a youth of perhaps 18 years old, was very active in defence of his country's rights during the revolutionary war. It was the fate of this Tyro in arms to fall into the hands of major Fanning, whose deeds as a cruel partizan leader in the service of Great Britain, are written in North and South Carolina, in characters of blood. Hunter, whose active services had roused the ire of the major, was told upon the spot to prepare for his fate, which was nothing less than death, for which awful event a few minutes only were allowed him to prepare. A band of Tories, thirsting for the blood of a patriot, instantly formed a circle round the boy, leaving him no reasonable chance of escape.

At this moment thought followed thought in quick succession. His home, his friends, his country, and the circumstances under which he was about to be torn from them all, together with the reflection that he must quickly realize a state of untried being, crowded upon his mind, and called up feelings not to be described.

For the first time he bent his knees to the power which wields the destinies of man, and no sooner had he breathed a wish to the throne of mercy, than he felt a strong persuasion that deliverance was possible. This important point settled in his mind, he cast his eyes round in search of the means to be employed. At the distance of a few paces from the encircling band stood a beautiful filly, furnished with the major's riding establishment, complete. This animal, late the idol of sportsmen in Virginia, had fallen into the hands of the present owner, and was highly prized, as affording the means of escape from impending danger.

"Cannot I," thought Hunter, "spring from my knees, gain the saddle, and under the favor of that power which has so fully assured my heart, escape this threatening death?" Having resolved, if he must perish, to perish in the attempt, he darted like lightning through his enemies, and seizing the bridle, which was held by a servant boy, as he vaulted into the saddle, he put the major's courser to her speed, and went off with his booty, to the no small disappointment and mortification of the astonished beholders. After gazing a while in stupid amazement, the redoubtable Fanning recollected that his soldiers had guns, but it was too late; and the order to "*shoot at the rebel,*" was obeyed without effect.

#### INTERESTING HISTORY.

It is known as a matter of history, that in the early part of 1755, great exertions were made by the British ministry, at the head of which was the illustrious earl of Chatham, for the reduction of the French power in the provinces of the Canadas. To carry the object into effect, general Amherst, referred to in the letters of Junius, was appointed to the command of the British army in North Western America; and the British colonies in America were called upon for assistance, who contributed with alacrity their several quotas of men, to effect the grand object of British enterprise. It is a fact still within the recollection of some of our oldest inhabitants, that the British army lay encamped, in the summer of 1755, on the eastern bank of the Hudson, a little south of the city of Albany, on the ground now belonging to John I.

Van Rensselaer, esq. To this day vestiges of their encampment remain; and after a lapse of sixty years, when a great proportion of the actors of those days have passed away, like shadows from the earth, the inquisitive traveller can observe the remains of the ashes, the places where they boiled their camp kettles. It was this army, that, under the command of Abercrombie, was foiled, with a severe loss, in the attack on Ticonderoga, where the distinguished Howe fell at the head of his troops, in an hour that history has consecrated to his fame. In the early part of June, the eastern troops began to pour in, company after company, and such a motley assemblage of men never before thronged together on such an occasion, unless an example may be found in the ragged regiment of *ser* John Falstaff, of right merry and facetious memory. It would, said my worthy ancestor, who relates to me the story, have relaxed the gravity of an anchorite, to have seen the descendants of the Puritans, marching through the streets of our ancient city, to take their station on the left of the British army—some with long coats, some with short coats, and others with no coats at all, in colours as varied as the rainbow, some with their hair cropped like the army of Cromwell, and others with wigs whose curls flowed with grace around their shoulders. Their march, their accoutrements, and the whole arrangement of the troops, furnished matter of amusement to the wits of the British army. The music played the airs of two centuries ago, and the *sout ensemble*, upon the whole, exhibited a sight to the wondering strangers that they had been unaccustomed to in their own land. Among the club of wits that belonged to the British army, there was a physician attached to the staff, by the name of Doctor Shackburg, who combined with the science of the surgeon, the skill and talents of a musician. To please brother Jonathan he composed a tune, and with much gravity recommended it to the officers, as one of the most celebrated airs of martial music. The joke took, to the no small amusement of the British corps. Brother Jonathan exclaimed it was *nation fine*, and in a few days nothing was heard in the provincial camp but the air of *Yankee Doodle*. Little did the author or his coadjutors then suppose, that an air made for the purpose of levity and ridicule, should ever be marked for such high destinies; in twenty years from that time our national march inspired the hearts of the heroes of Bunker Hill, and less than thirty, Lord Cornwallis and his army marched into the American lines to the tune of *Yankee Doodle*.

[*Albany Statesman*. &c.]

1775—Nov. 7.—*Dunmore's proclamation.*

IN NORFOLK and the adjacent country, Dunmore counted on numerous adherents. The rash advice, together with his own impetuous, haughty and revengeful temper, early impelled him to a measure characterized by folly, and fraught with incalculable mischief, not only to the people of Virginia, but to his own cause. Under date of Nov. 7th, he issued the following proclamation, the style of which strongly indicates the agitation of a perturbed mind, whilst its substance betrays a blind, impolitic, ruinous inflexibility, and, what is still worse, a savage and wanton disregard for the fundamental principles upon which the social fabric essentially rests, and for those rules of civilization, which are usually respected, even in the phrensy and calamitous intent of war.

*By his excellency, the right honorable JOHN, earl of Dunmore, his majesty's lieutenant and governor general of the colony of Virginia, and vice admiral of the same.*

#### A PROCLAMATION

"As I have ever entertained hopes that an accommodation might have taken place between Great Britain and this colony, without being compelled by my duty to this most disagreeable, but now absolutely necessary duty, rendered so by a body of men, unlawfully assembled, firing on his majesty's tenders, and the formation of an army, and an army now on its march to attack his majesty's troops, and destroy the well disposed subjects of this colony. To defeat such treasonable purposes, and that all such traitors, and their abettors may be brought to justice, and that the peace and good order of this colony may be again restored, which the ordinary course of the civil law is unable to effect, I have thought fit to issue this my proclamation, hereby declaring that, until the aforesaid good purposes can be obtained, I do, in virtue of the power and authority to me given, by his majesty, determine to execute martial law, and cause the same to be executed throughout this colony; and to the end that peace and good order may the sooner be restored, I do require every person capable of bearing arms to resort to his majesty's standard, or be looked upon as traitors to his majesty's crown and government, and thereby become liable to the penalty the law inflicts upon such offenders; such as forfeiture of life, confiscation of lands, &c. &c. And I do hereby further declare all indented servants, negroes, or others (appertaining to rebels) free, that are able and willing to bear arms, they joining his majesty's troops as soon as may be, for the more speedily reducing this

colony to a proper sense of their duty to his majesty's crown and dignity. I do further order and require all his majesty's liege subjects, to retain their quitrents or other taxes due, or that may become due in their own custody, till such a time as peace may again be restored to this at present most unhappy country, or demanded of them for their former salutary purposes, by officers properly authorized to receive the same.

"Given under my hand, on board the ship William, off Norfolk, the 7th day of November, in the 16th year of his majesty's reign. "DUNMORE.

"God save the king."

**TICONDEROGA.** The following is not a revolutionary document, but an article that may well be preserved in this collection; and, being specially requested, we insert it with pleasure.

*From the Hartford Times.* The following statement or return, exhibiting a minute and accurate account of the loss in killed and wounded sustained by the British and American forces under the command of gen. Abercrombie, in the memorable disaster or defeat at Ticonderoga, July, 1758, was, as it purports, made out soon after the battle, by Judah Woodruff, who was a captain of the provincial forces, and belonging to Farmington, in this county. The original document has been preserved in the family, as a precious memorial of their ancestor, for sixty years, and was handed to us by his son. It is undoubtedly the most authentic and correct statement of that unfortunate affair, which exposed our frontiers to the murderous and cruel outrages of a savage foe, and filled the whole colonies with consternation and dismay, which at this day is to be found; and in every point of view is worthy of preservation. We recommend its insertion to the editor of the Baltimore Weekly Register, as that work is probably the most permanent and valuable place in which it can be deposited.

We have printed it verbatim, and preserved the same orthography, to exhibit an idea of the provincial dialect of that day.

The British regiments are distinguished numerically, and by their commanders. The 1st and 4th battalions called "royal Americans," were troops enlisted in the colonies by British officers. The "Prouinshals," or provincials, consisted of the militia of the colonies, which were detached, or volunteered for the service. It will be seen that, with the exception of lord Murray's regiment, which was nearly cut to pieces, the loss of the provincials was as great as that of any one regiment. They must therefore have been actively engaged.

# PRINCIPLES AND ACTS OF THE REVOLUTION.

A return of the killed, wounded and missing of his majesty's forces at Carleton or Ticonderoga, July 8th, 1758.

REGIMENTS.	Killed	Wounded	Killed	Wounded	Killed	Wounded	Killed	Wounded	Killed	Wounded	Killed	Wounded	Killed	Wounded	Killed	Wounded	Killed	Wounded	Killed	Wounded	Missing
27th, Lord Blakeney's																					
43d, Lord Murray's																					
44th, Gen. Abercrombie's																					
46th, Gen. Murray's																					
55th, Lord Howe's																					
1st Bat. roy <sup>l</sup> Americans,																					
4th Bat. roy <sup>l</sup> Americans,																					
Light Infantry,																					
Proushals,																					
Batal Broad Street,																					
Sum Total	1		2	2	5	5	5	29	14	39	5	9	1	1	1	1	1	19	59	461	39

The number killed, 515 men. The number wounded, 1269.—The number missing 39—Sum total 1823. This drawn out by me, Judah Woodruff, August ye 15: 1758—Att lake George.

THE PROSCRIBED. From the Boston Gazette, 1774. The following is an authentic copy of a letter which was lately thrown into the camp, with the following direction:

"To the officers and soldiers of his majesty's troops in Boston.

"It being more than probable that the king's standard will soon be erected, from rebellion breaking out in this province, it is proper that you, soldiers! should be acquainted with the authors thereof, and of all the misfortunes brought upon the province; the following is a list of them, viz:

Samuel Adams	John Hancock
James Bowdoin	William Cooper
Dr. Thomas Young	Dr. Chauncey
Dr. Benjamin Church	Dr. Cooper
Capt. John Bradford	Thomas Cushing
Josiah Quincy	Joseph Greenleaf
Maj. Nath <sup>l</sup> . Barber	and William Denning.
Wm. Molineux	

"The friends of your king and country and of America, hope and expect it from you, soldiers, the instant rebellion happens, you will put the above persons immediately to the sword, destroy their houses, and plunder their effects: it is just that they should be the first victims to the mischief they have brought upon us. (SIGNED)

A friend to Great Britain and America.

"P. S. Don't forget those trumpeters of sedition, the printers, Edes & Gill and Thomas."

FROM THE BOSTON PATRIOT.

Messrs: Ballard & Wright:

The enclosed letter, from the venerable and patriotic major Hawley\* has never been in print. Its publication at this time would not perhaps be irrelevant, and would certainly gratify some of your country friends. It was written soon after the adoption of the present constitution, and shews his opinion of that instrument. It is needless to add, that we here think every thing from the pen of that great man deserving of record.

HAMPSHIRE.

To the hon. the senate of Massachusetts.

May it please your honors: The intelligence given me by the writ of summons, under the hand of the president of the council, that I am chosen a senator by a majority of the voters of the county of Hampshire, affords me a singular pleasure, on two accounts: The one is, that an election to that high trust, by a majority of the unsolicited suffrages of the voters of the county, is a genuine proof of the good opinion of the people of my

\*The author of the "Broken Hints," page 324.

dear county; the other is, the fair occasion that it gives me to bear a free and public testimony against one part of our glorious constitution: I style it glorious, although I humbly conceive it has several great blemishes, on account whereof it will, until corrected, be liable, in my poor opinion, to very weighty exception; but still it remains glorious on account of the great quantity of excellent matter contained in it. That part of the constitution this event enables me not impertinently to except to, is the *condition or term* which the constitution holds every one to, who has the honor to be elected a member of the general court of Massachusetts, before he may (as is expressed in the constitution) *proceed to execute the duties of his place*.

Be the person ever so immaculate and exemplary a Christian; although he has, in the proper place, that is, in the Christian church, made a most solemn, explicit, and public profession of the Christian faith; though he has an hundred times, and continues perhaps every month in the year, by participating in the church of the body and blood of Christ, practically recognized and affirmed the sincerity of that profession; yet, by the constitution, he is held, before he may be admitted to execute the duties of his office, to make and subscribe a profession of the Christian faith, or declaration that he is a Christian. Did our father confessors imagine, that a man who had not so much fear of God in his heart as to restrain him from acting dishonestly and knavishly in the trust of a senator or representative, would hesitate a moment to subscribe that declaration? *Cui bono*, then, is the declaration? This extraordinary, not to say absurd, condition, brings fresh to mind a passage in the life of the pious, learned, and prudent Mr. John Howe, one of the strongest pillars of the dissenting interest in the reign of Charles the 2d and James the 2d. The history is as follows:

"That Mr. Howe, waiting upon a certain bishop, his lordship presently fell to expostulating with him about his non-conformity. Mr. Howe told him he could not have time, without greatly trespassing on his patience, to go through the objections he had to make to the terms of conformity. The bishop pressed him to name any one that he reckoned to be of weight. He thereupon instanced the point of re ordination. 'Why pray sir,' said the bishop, 'what hurt is there in being twice ordained?' 'Hurt, my lord,' says Mr. Howe to him; the thought is shocking—it hurts

my understanding. 'It is an absurdity; for nothing has two beginnings.' 'I am sure,' said he, 'I am a minister of Christ, and I am ready to debate that matter with your lordship, if you please: I cannot begin again to be a minister.'

Besides, this term of executing the duties of the place is against common right, and as I may say, the natural franchise of every member of the commonwealth who has not by some crime or *delictum* forfeited his natural rights and franchises. It, moreover, reduces the ninth article of the declaration of rights to a mere futility, and, in such a connection, it would be for the reputation of the declaration of rights if that same ninth article was wholly expunged. More than that, the said condition is plainly repugnant to the first great article of the said declaration: and I am ready to debate that matter with any Doctor who assisted in framing the constitution, either in convention or without doors. The said declaration of faith to be subscribed, which constitutes the said impolitic and unrighteous condition, will, I believe, ever sound in every good ear almost as uncouthly as the Sessions Justices' famous charge to the standing grand jury. Let us hear them successively:

"I do declare, that I believe the Christian religion, and have a firm persuasion of its truth; and that I am seized and possessed in my own right of the property required by the constitution," &c.

"Gentlemen of the grand jury: You are required by your oath to see to it, that the several towns in the county be provided, according to law, with Pounds and School-masters, Whipping posts and ministers,"

Each containing an odd jumble of sacred and profane; but, to me, the *charge* jingles best. By the constitution of the commonwealth of Massachusetts, I am, may it please your honors, one of its senators; and I am strongly disposed, according to my poor abilities, to execute the duties of my office; but, by the unconscionable, not to say dishonorable terms, established by the same constitution, I am barred from endeavoring to perform these duties. I have been a professed Christian nearly forty years, and, although I have been guilty of many things unworthy of that character, whereof I am ashamed, yet I am not conscious that I have been guilty of any thing wholly inconsistent with the truth of that profession.

The laws under the first charter required of the subjects of that state, in order to their enjoy-



ing some privileges, that they should be members in full communion of some Christian church. But, it never was before required, in the Massachusetts-Bay, that a subject, in order to his enjoying or exercising any franchise or office, should make profession of the Christian religion before a temporal court.

May it please your honors: We have all heard of a lieut. governor of the Massachusetts-Bay, and some of us have known him very well, who contended long and earnestly that he had a right to a seat in council with a voice.

I imagine I can maintain a better argument than he did, that I have a right to a seat in the senate of Massachusetts without a voice; but, at present, I shall not attempt to take it.

I am, may it please your honors, with the greatest respect to the senate, your most obedient humble servant,

JOSEPH HAWLEY.

October 28, 1780.

#### NAVAL POWER OF SALEM.

The following list of PRIVATEERS, fitted out and chiefly owned in Salem and Beverly, from March 1, to Nov. 1, 1781, was found among the papers of the late *Mr. James Jeffry*, whose accuracy was well known to those by whom he is remembered. At that period, privateering was the principal business of the town

*Salem Gazette.*

#### SHIPS.

<i>Ships' Names.</i>	<i>No. of Guns.</i>	<i>Weight of Metal.</i>	<i>No. of Men.</i>
Pilgrim	18	9 lb.	120
Essex	20	6	110
Franklin	18	6	100
Scourge	20	6	110
Distain	20	6	110
Congress	20	9	130
Royal Louis	18	6	100
Porus	20	9	130
Grand Turk	24	6	120
Rattle Snake	20	4	95
Rover	20	4	95
Cromwell	16	6	100
Jason	16	6	100
Marquis	16	4	75
Hendrick	18	6	100
Junius Brutus	20	6	110
Rhodes	20	6	110
Harlequin	20	4	95
Neptune	16	4	75
Mohawk	22	6	110
Buccanier	18	9	120
Cicero	18	9	120
Rambler	16	6	95
Defence	14	6	85
Independence	16	4	70
Jack	12	9	60
26 ships	476		2645

<i>Brigs' Names.</i>	<i>Guns.</i>	<i>Metal.</i>	<i>Men.</i>
Tyger	16	4 lb.	70
Montgomery	14	4	60
Sturdy-Beggar	14	4	60
Captain	10	3	45
New Adventure	14	3	55
Active	14	4	60
Hero	8	4	40
Fortune	14	4	60
Swift	14	4	60
Blood-Hound	14	3	55
Flying-Fish	10	3	45
Fox	14	3	55
Cato	14	3	55
Chace	10	3	45
Lion	12	4	50
Speedwell	14	3	55
16 brigs	206		870

<i>Schooners' Names.</i>	<i>Guns.</i>	<i>Metal.</i>	<i>Men.</i>
Greyhound	8	3 lb.	35
Lively	8	3	35
Shackle	6	3	30
Pine Apple	6	3	30
Languedoc	6	2	25
Dolphin	6	3	30
Panther	6	3	30
8 schooners	50		235

<i>Sloops' Names.</i>	<i>Guns.</i>	<i>Metal.</i>	<i>Men.</i>
Fish-Hawk	8	4 lb.	40
Hazard	6	3	30
2 sloops	14		70

7 Sloop-boats, as mentioned.

	<i>Vessels</i>	<i>Guns.</i>	<i>Men.</i>
Ships	26	476	2645
Brigs	16	206	870
Schooners	8	50	235
Sloops	2	14	70
Shallops, men only			120
Total	52	746	3940

#### WEIGHT OF GREAT CHARACTERS.

AUGUST 19, 1783

*Weighed at the scales at West Point.*

General Washington,	209 lbs.
General Lincoln,	224
General Knox,	280
General Huntington,	132
General Groaton,	166
Colonel Swift,	219
Colonel Michael Jackson,	252
Colonel Henry Jackson,	238
Lieutenant Colonel Huntington,	232
Lieutenant Colonel Cobb,	186
Lieutenant Colonel Humphreys,	221

The above memorandum was found in the pocket-book of a deceased officer of the Massachusetts line.

*Anecdote.*—General Marion was a native of South Carolina, and the immediate theatre of his exploits was a large section of maritime district of that state. The peculiar hardihood of his constitution, and his being adapted to a warm climate, and a low marshy country, qualified him to endure hardships and submit to exposure, which, in that sickly region, few other men would have been competent to sustain. With the small force he was enabled to embody, he was continually annoying the enemy, cautious never to risk an engagement, till he could make victory certain. General Marion's person was uncommonly light, and he rode, when in service, one of the fleetest and most powerful chargers the South could produce:—when in fair pursuit nothing could escape, and when retreating nothing could overtake him. Being once nearly surrounded by a party of British dragoons, he was compelled, for safety, to pass into a corn-field, by leaping the fence—this field, marked with considerable descent of surface, had been in part a marsh; Marion entered it at the upper side, the dragoons in chace, leaped the fence also, and were but a short distance behind him. So completely was he now in their power, that his only mode of escape was to pass over the fence at the lower side. To drain the field of its superfluous water, a trench had been cut around this part of the field, four feet wide, and of the same depth; of the mud and clay removed in cutting it, a bank had been formed on its inner side, and on the top of this was erected the fence, the elevation amounting to nearly eight feet perpendicular height—a ditch four feet in width running parallel with it on the outer side, a foot or more intervening, between the fence and ditch.

The dragoons, acquainted with the nature and extent of this obstacle, and considering it impossible for their enemy to pass it, pushed towards him with loud shouts of exultation and insult, and summoning him to surrender or perish by the sword; regardless of their rudeness and empty clamour, and inflexibly determined not to become their prisoner, Marion spurred his horse to the charge, the noble animal, as if conscious that his master's life was in danger, and that on his exertions depended his safety, approached the barrier in his finest style, and with a bound that was almost supernatural, cleared the fence and ditch completely, and recovered himself without loss of time on the opposite side—Marion instantly wheeled about and saw his pursuers unable to pass the ditch, discharged his pistol at them without

effect, and then wheeling his horse, and bidding them good morning, departed. The dragoons, astonished at what they had witnessed, and scarcely believing their foe to be mortal, gave up the chase.

*In congress, March 16. 1776.*

"The congress, considering the warlike preparations of the British ministry to subvert our invaluable rights and privileges, and to reduce us, by fire and sword, by the savages of the wilderness and our own domestics, to the most abject and ignominious bondage; desirous, at the same time, to have people of all ranks and degrees duly impressed with a solemn sense of God's superintending Providence, and of their duty devoutly to rely in all their lawful enterprizes on his aid and direction, do earnestly recommend that Friday, the 17th day of May next, be observed by the said colonies as a day of humiliation, fasting and prayer; that we may with united hearts, confess and bewail our manifold sins and transgressions, and by a sincere repentance and amendment of life, appease his righteous displeasure, and, through the merits and mediation of Jesus Christ, obtain his pardon and forgiveness, humbly imploring his assistance to frustrate the cruel purposes of our unnatural enemies; and by inclining their hearts to justice and benevolence, prevent the further effusion of kindred blood. But, if continuing deaf to the voice of reason and humanity, and inflexibly bent on desolation and war, they constrain us to repel their hostile invasions by open resistance, that it may please the Lord of Hosts, the God of armies, to animate our officers and soldiers with invincible fortitude, to guard and protect them in the day of battle, and to crown the continental arms by sea and land, with victory and success: Earnestly beseeching him to bless our civil rulers, and the representatives of the people in their several assemblies and conventions; to preserve and strengthen their union; to inspire them with an ardent disinterested love of their country; to give wisdom and stability to their councils; and direct them to the most efficacious measures for establishing the rights of America on the most honorable and permanent basis; that he would be graciously pleased to bless all the people in these colonies with health and plenty; and grant that a spirit of incorruptible patriotism, and of pure undefiled religion, may universally prevail; and this continent be speedily restored to the blessings of peace and liberty, and enabled to transmit them inviolate to the latest posterity. And it is recommended to Christians of all denominations, to assemble for public war-

ship, and abstain from servile labor on the said day. By order of the congress.

JOHN HANCOCK, president."

### GENEROSITY OF PAUL JONES.

FROM A BRITISH MAGAZINE.

This distinguished person was the son of a small farmer a few miles from Dumfries, and impelled by that love of enterprise which is so frequently to be met with among the peasantry of Scotland, he seems to have eagerly embarked in the cause of the colonies against the mother country. Whether he was actuated, in any degree, by a sense of the injustice of Britain towards America at the outset of his career, or merely availing himself of the opportunities in which revolutionary warfare so greatly abounds, to rise from his original obscurity, it is now, perhaps, impossible to determine, and unnecessary to enquire. But it will be seen, from the letters we are going to lay before our readers, that, in the progress of his adventurous life, he well knew how to employ the language of men inspired with the love of liberty, and that he was honored by some of its warmest friends in both hemispheres.

There are probably few instances, especially among adventurers who have risen from the condition in which Paul Jones was originally placed—of more enlarged views—more generous feelings—and a more disinterested conduct, than the following letters exhibit, combined as these are with sentiments of relentless hostility towards the claims of his native country.

In the progress of the revolutionary war, Paul Jones obtained the command of a squadron, with which, in 1778, he undertook to annoy the coasts of Great Britain. On the 2d of December, 1777, he arrived at Nantes, and in January he repaired to Paris, with the view of making arrangements with the American ministers and the French government. In February he conveyed some American vessels to the Bay of Quiberon, and, on his return to Brest, communicated his plan to admiral D'Auilliers, who afforded him every means of forwarding it. He accordingly left Brest, and sailed through the Bristol channel without giving any alarm. Early in the morning of the 23d of April, he made an attack on the harbor of Whitehaven, in which there were about three hundred sail. He succeeded in setting fire to several vessels, but was not able to effect any thing decisive before day light, when he was obliged to retire.

The next exploit, which took place on the same day, was the plunder of lord Selkirk's house, in St. Mary's Isle, near the town of Kirkcubright. The particulars of this event, and of the action which succeeded, as well as the motives upon which Jones acted, are well given in the following letter, which he addressed to lady Selkirk, and which has not before been printed:—

"RANGER, BREST, 8th May, 1778.

"Madam—It cannot be too much lamented, that, in the profession of arms, the officer of finer feeling, and of real sensibility, should be under the necessity of winking at any action of persons under his command which his heart cannot approve; but the reflection is doubly severe, when he finds himself obliged, in appearance, to countenance such action by authority:

"This hard case was mine, when, on the 23d of April last, I landed on St. Mary's Isle. Knowing lord Selkirk's interest with his king, I wished to make him the happy instrument of alleviating the horrors of hopeless captivity, when the brave are overpowered and made prisoners of war. It was perhaps fortunate for you, madam, that he was from home, for it was my intention to have taken him on board the *Ranger*, and to have detained him, until, through his means, a general and fair exchange of prisoners, as well in Europe as in America, had been effected.

"When I was informed by some men whom I met at landing, that his lordship was absent, I walked back to my boat, determined to leave the island. By the way, however, some officers who were with me, could not forbear expressing their discontent, observing, that in America no delicacy was shown by the English, who took away all sorts of moveable property, setting fire not only to towns, and to the houses of the rich without distinction, but not even sparing the wretched hamlets and milch-cows of the poor and helpless, at the approach of an inclement winter. That party had been with me as volunteers the same morning at Whitehaven; some complaisance, therefore, was their due. I had but a moment to think how I might gratify them, and, at the same time, do your ladyship the least injury. I charged the two officers to permit none of the seamen to enter the house, or to hurt any thing about it; to treat you, madam, with the utmost respect; to accept of the plate which was offered; and to come away without making a search, or demanding any thing else. I am induced to believe that I was punctually obeyed, since I am informed that the plate which

they brought away is far short of the quantity which is expressed in the inventory which accompanied it. I have gratified my men, and when the plate is sold I shall become the purchaser, and will *gratify my own feelings*, by restoring it to you by such conveyance as you shall please to direct.

"Had the earl been on board the following evening, he would have seen the awful pomp and dreadful carnage of a sea engagement; both affording ample subject for the pencil, as well as melancholy reflection for the contemplative mind. Humanity starts back at such scenes of horror, and cannot but execrate the vile promoters of this detested war:—

*For they, 'twas they, unsheathed the ruthless blade,  
And Heaven shall ask the havoc it has made.*

"The British ship of war Drake, mounting twenty guns, with more than her full complement of officers and men, besides a number of volunteers, came out from Carrickfergus, in order to attack and take the continental ship of war Ranger, of eighteen guns, and short of her complement of officers and men; the ships met, and the advantage was disputed with great fortitude on each side for an hour and five minutes, when the gallant commander of the Drake fell, and victory declared in favor of the Ranger. His amiable lieutenant lay mortally wounded, besides near forty of the inferior officers and crew killed and wounded. A melancholy demonstration of the uncertainty of human prospects. I buried them in a spacious grave, with the honors due to the memory of the brave.

"Though I have drawn my sword in the present generous struggle for the rights of man, yet I am in arms, merely as an American, nor am I in pursuit of riches. My fortune is liberal enough, having no wife nor family, and having lived long enough to know that riches cannot ensure happiness. I profess myself a citizen of the world, totally unfettered by the little mean distinctions of climate or of country, which diminish the benevolence of the heart, and set bounds to philanthropy. Before this war began, I had, at an early time of life, withdrawn from the sea service, in favor of 'calm contemplation and poetic ease.' I have sacrificed, not only my favorite scheme of life, but the *softer affections of the heart*, and my prospects of domestic happiness, and I am ready to sacrifice my life also, with cheerfulness, if that forfeiture would restore peace and good will amongst mankind.

"As the feelings of your gentle bosom cannot, in that respect, but be congenial with mine, let me entreat you, madam, to use your soft persuasive arts with your husband, to endeavor to stop this cruel and destructive war, in which Britain never can succeed. Heaven can never countenance the barbarous and unmanly practices of the Britons in America, which savages would blush at, and which, if not discontinued, will soon be retaliated in Britain by a justly enraged people. Should you fail in this, (for I am persuaded you will attempt it—and who can resist the power of such an advocate?) your endeavors to effect a general exchange of prisoners will be an act of humanity, which will afford you golden feelings on a death bed.

"I hope this cruel contest will soon be closed: but should it continue, I wage no war with the fair! I acknowledge their power, and bend before it with profound submission! Let not, therefore, the amiable countess of Selkirk regard me as an enemy; I am ambitious of her esteem and friendship, and would do any thing consistent with my duty to merit it.

"The honor of a line from your hand, in answer to this, will lay me under a very singular obligation; and if I can render you any acceptable service, in France or elsewhere, I hope you see into my character so far as to command me without the least grain of service. I wish to know, exactly, the behaviour of my people, as I am determined to punish them if they have exceeded their liberty.

I have the honor to be, with much esteem and with profound respect, madam, your most obedient and most humble servant,

PAUL JONES.

"To the Right Hon. the countess of  
SALZBURG, St. Mary's Isle, Scotland."

#### PENNSYLVANIA.

The following spirited address of the deputies of Pennsylvania, met in provincial conference at Philadelphia, on the 24th of June, 1776—should have followed their "declaration" inserted in page 252. It was unanimously adopted the day after that declaration was agreed upon.

*Address to the people of Pennsylvania.*

"The only design of our meeting together was, to put an end to our own power, in the province, by fixing upon a plan for calling a convention, to form a government under the authority of the people. But the sudden and unexpected separation of the last assembly has compelled us to undertake the execution of a resolve of congress, for calling forth

4500 of the militia of the province, to join the militia of the neighboring colonies, to form a camp for our immediate protection. We presume only to recommend what we have formed to you; trusting that, in such a case of consequence, your love of virtue and zeal for liberty, will supply the want of authority delegated to us expressly for that purpose.

"We need not remind you, that you are now furnished with new motives to animate and support your courage. You are not about to contend against power, in order to displace one set of villains to make room for another; your arms will not be enervated in the day of battle with the reflection, that you are to risk your lives, or shed your blood, for a British tyrant; or that your posterity will have your work to do over again . . . . You are about to contend for permanent freedom, to be supported by a government, which will be derived from yourselves, and which will have for its object not the emolument of one man, or one class of men, but the safety, liberty, and happiness of every individual in the community.

"We call upon you, therefore, by the respect and obedience which is due to the United Colonies, to honour in this important measure. The present campaign will probably decide the fate of America. It is now in your power to immortalise your names, by mingling your achievements with the events of the year 1776—a year which, we hope, will be sacred in the annals of history, to the end of time, for establishing upon a lasting foundation, the liberties of one quarter of the globe.

"Remember the honor of our colony is at stake. Should you desert the common cause at the present juncture, the glory you have acquired by your former exertions of strength and virtue will be tarnished; and our friends and brethren, who are now acquiring laurels in the most remote parts of America, will reproach us, and blush to own themselves natives or inhabitants of Pennsylvania.

"But there are other motives before you—your houses—your fields—the legacies of your ancestors, or the dear bought fruits of your own industry, and your liberty, now urge you to the field: these cannot plead with you in vain, or we might point out to you further, your wives, your children, your aged fathers and mothers, who now look up to you for protection, and hope for salvation, in this day of calamity, from the instrumentality of your swords.

"Remember the name of Pennsylvania—think of your ancestors and posterity."

#### ANECDOTE.

"During the first struggles of the revolution, it was recommended in that part of Virginia that no more tea should be drunk or used. A Mrs. N—— (lady of E. N.) of S——, being in peculiar circumstances, invited a party of her female acquaintances, to spend an evening with her in a private room up stairs, and regale themselves with a dish of forbidden tea. But, as good luck would have it, Mr. N. who guessed what was going on, stole unperceived up stairs, and slipped a piece of tobacco into the tea-kettle. The consequence was, that the ladies went home sick, some vomiting, &c. whilst the old gentleman enjoyed himself heartily at their expense."

#### GEORGE ROGERS CLARKE.

While his countrymen on the sea-board were contending with the British regulars, col. George Rogers Clarke was the efficient protector of the people of the frontiers of Virginia and Pennsylvania from the inroads of the savage allies of the "defender of the faith." The history of his exploits would fill a volume—and for hair-breadth 'scapes and hardy enterprise, would hardly have a parallel. The character of this veteran is well developed in the following extract, recently published in the (Philadelphia) "National Gazette," from "the note of an old officer."

"The Indians came into the treaty at Fort Washington in the most friendly manner, except the Shawahnees—the most conceited and most warlike of the aborigines; the first in at a battle—the last at a treaty. Three hundred of their finest warriors, set off in all their paint and feathers, filed into the council house. Their number and demeanor, so unusual at an occasion of this sort, was altogether unexpected and suspicious. The United States stockade mustered seventy men.

"In the centre of the hall, at a little table, sat the commissary general Clarke, the indefatigable scourge of these very marauders, general Richard Butler, and the hon. Mr. Parsons—there was present, also, a captain Denfry, who I believe is still alive, and can attest this story. On the part of the Indians an old council sachem and a warrior chief took the lead: the latter, a tall, raw boned fellow, with an impudent and villanous look, made a boisterous and threatening speech, which operated effectually on the passions of the Indians, who set up a prodigious whoop at every pause. He concluded—"

by presenting a black and white wampum, to signify they were prepared for either event, peace or war. Clarke exhibited the same unaltered and careless countenance he had shown during the whole scene, his head leaning on his left hand and his elbow resting on the table: he raised his little cane and pushed the sacred wampum off the table, with very little ceremony—every Indian at the same moment started from his seat with one of those sudden, simultaneous and peculiarly savage sounds which startle and disconcert the stoutest heart, and can neither be described nor forgotten.

"Parsons, more civil than military in his habits, was poorly fitted for an emergency that probably embarrassed even the hero of Saratoga—the brother and father of soldiers. At this juncture Clarke rose—the scrutinizing eye cowered at his glance; he stamped his foot on the prostrate and insulted symbol and ordered them to leave the hall—they did so apparently involuntarily.

"They were heard all that night debating in the bushes near the fort. The raw-boned chief was for war, the old sachem for peace: the latter prevailed, and next morning they came back and sued for peace."

#### VIRGINIA—CALLED TO ARMS.

The following address was issued to the people of Virginia, at the time when the governor, *Patrick Henry*, issued his proclamation on the 14th of May, 1779, announcing the arrival of a British fleet in the Chesapeake, and noticing some of the ravages they had committed.

*Friends and countrymen.*—When our country is invaded by the avowed enemies to the common rights of mankind; when it is threatened with all those calamities which barbarity and cruelty can inflict, it is no longer time to pause. We have not an enemy to oppose who can claim the common pretension for war. We have to combat those who seek not for a retaliation of injuries done them, but who would be our tyrants. Tyrants of the blackest nature, who would rob us not only of those privileges which are dearest to us, but would bring our grey hairs down with sorrow to the grave. To be the base slaves of arbitrary power, to be insulted, trampled under foot by a soldiery, the outcasts of jails, to be stripped of your property, to behold your wives and children the victims of brutal lust, or nobly to resist the torrent of despotism, nobly to stand forth and to wreak your vengeance upon an enemy the most barbarous and cruel, is a native which now awaits you. They

have already commenced the horrid war. Your houses are already devoted to the flames; your wives have been driven with the flocks and herds to their ships. To the Hessian, and the still more barbarous Highlander, let them now offer up their prayers for mercy. But what mercy are they to hope from those whose avowed design is conquest, ruin, and misery! Indignation usurps the place of reflection. Indignation should hurry us to action, should fire our souls with the noble emulation, who first should have the immortal glory of plunging his dagger in the breast of such an enemy.

Fortunately for us, we have men to command, beloved, respected, and admired for their intrepidity, activity, and good conduct; men, who, if supported by their fellow citizens, will soon baffle the designs of our enemy; will soon rescue this country from the disgrace of being plundered and ravaged by a merciless banditti. Virginia stands foremost for public spirit. Her sons have now the most glorious opportunity of gaining immortal fame. They have a commander to lead them to the field, whose experience and bravery will ensure them victory. They may now have the satisfaction, not only of saving their country but of revenge—of revenge for attempts, which, if carried into execution, will entail shame and ruin upon us to the latest ages.

Activity, vigor, a determination to conquer or to die, will soon expel those invaders of our rights; torpor and inactivity will confirm them in their conquest. Example will create heroes. The body of the people must be put in motion by the influence of those whom they respect and esteem. Follow then the conduct of our brave brethren to the north, remember what gave a favorable cast to the melancholy prospect they had before them. Men of fortune and distinction were the first to oppose the enemy. Success crowned their efforts, and patriotism received eternal honor. Similar example here will ensure similar success. The progress of the enemy in our country may carry along with it the most dangerous consequences. What accessions will they not gain from those among us who feel every day the yoke of slavery! We shall supply them with the certain means of our own destruction, unless our activity and vigor arrest them in their progress. The possession of sufficient ground for their encampment is not only disgraceful to us, but ruinous. It will be an asylum for our slaves; they will flock to their standards, and form the flower of their army. They will rival the Hessian or Highlander, if possible, in cruelty and desolation. It is said that at present their

army does not consist of more than two thousand. This circumstance, which may fall us into security, seems big with the most fatal consequences, unless we resolve to anticipate the evil. They doubtless expect reinforcements from our slaves; not to mention from Tories and the disaffected.

In a word, the means of our salvation are difficult, but certain and glorious, if we will seize them in time. Delay and inactivity will bring along with them infamy, disgrace, and certain perdition.

#### TO THE GOOD PEOPLE OF IRELAND.

The misery and distress which your ill-fated country has been so frequently exposed to, and has so often experienced, by such a combination of rapine, treachery, and violence, as would have disgraced the name of government, in the most arbitrary country in the world, has most sincerely affected your friends in America, and has engaged the most serious attention of Congress; the ministry of Britain have seen the extreme meanness and folly of the attempt to establish a supreme authority in parliament, as their venal scribblers had endeavored to define it, exempt from question and control, appeal or restriction; but it is evident to all the world, that such doctrine is incompatible with every idea of a civil constitution, for all compacts, bills of right, nay, the solemn obligation of their king to govern according to the statutes in parliament agreed on, and the laws and customs of the same, would have been all nugatory trumpery, were such a supremacy admitted; for this supreme authority having no rule or law to direct its operations, or limit its power, it must necessarily become arbitrary and absolute; for ceasing to be a government by force, and it will appear fully evident that this unnatural war, in which we have been unavoidably engaged, has been begun and supported for no other purpose than to establish this supreme or arbitrary power, for they are individually the same; nor is it in the power of sophistry to draw a line of separation; the flimsy and contradictory speech of lord North, introductory to his conciliatory motion, furnishes the fullest conviction on this point. He says, "before the war broke out he offered a conciliatory proposition. The ground upon which he made it was, That it was just the colonies should contribute to the support of government." And almost in the same breath he says "he thought necessary to shew the colonies we were not fighting for taxation, for he never thought taxation would be beneficial to us." He farther says, "he never proposed any tax, his maxim was to say nothing about America, neither to propose

or repeal laws, neither to advance nor recede, but to remain in total silence." His lordship, I hope, will excuse me, if I presume to look beyond the acknowledged indolence of his disposition, to explain this stupor of a first minister, and the case is very obvious; for as soon as their five regiments should have completed the conquest of America, it should lie with the lives and properties of its inhabitants, at the mercy of the conqueror's sword. The very names of assemblies, conventions, or charters, these odious appendages of democratical power, should be finished, and the tyrant's law should henceforth become the law of the land, and hence sprung the torpedoes that benumbed the ministers' faculties.

His lordship says, his proposition was misinterpreted or misunderstood, and was rendered suspicious by a supposition of a variety of cases, the Congress treated it as unreasonable and insidious, and rejected it. War began, and his intention was, from the beginning, at the moment of victory, to propose the same proposition in terms obviating all the misrepresentations and misunderstandings concerning it. Here it is confessed, that this wise and virtuous administration, at every hazard, and at a certain expense, has almost annihilated public credit, have been looking for victory which has never come, and I trust never will come; and which, if it did come, must have been accomplished by the murder of fellow citizens, sooner than clear their own propositions of their ambiguity and suspicion. And what deprives them of the color of excuse, for the horrid barbarities of the war, the city of London, in the most respectful language, petitioned the throne to declare clearly and explicitly before the war commenced, what they wished to have done on the part of America; but all to no purpose; they would not, they dare not declare their true object. The solemn appeal was made, and, for the honor of virtue, the comfort of human nature, and the terror of oppression, it will be indelibly recorded in the historic page, that a few virtuous citizens could effectually resist the most vigorous efforts of the most powerful tyranny, and thereby establish the freedom of the western world forever. To arrive at power, Gustavus like, by a bold effort of courage, proves at least the existence of one virtue, at the same time we detest the treachery; but to sacrifice the public treasure, to devote every effort of rapacious taxation, and the fruits of an ever-growing excise, to this idol of madness and folly, to establish a system of venality, by which the price of every man's integrity and abilities was to be determined, to stipulate the

precise condition for which he shall treacherously betray the interest of his country, and violate every obligation of private friendship and public virtue, to beat down every fence to honor and principle, to destroy the very bond and frame of civil society, to make the pillage of property the means to accomplish the plunder of liberty, and to drive the people into all the miseries of a civil war, in pursuit of this dream of power, are instances of such determined depravity as are not to be described even in the language of a country where new villainy adds to the catalogue of crimes almost every day. The perfect similarity of the declaratory act of supremacy, and that relating to your country, viz. That Ireland should be subordinate to and depend on the imperial crown of Great Britain is very obvious; but this declaration *ex parte* can avail nothing, at the same time that it furnishes the most incontestible and decisive proofs, that no such subordination or dependence was ever understood before, or there would have been no necessity for such an act.

The navigation act, which had been framed for the sole purpose of securing to the British subjects, all the advantages to be derived from the commerce of their own settlements, has, by subsequent acts, been framed into the most odious and impolitic monopoly that could be devised; creating local distinctions and commercial schisms, giving privilege to one set of subjects to the injury of others, and operating on all the indicted provinces as an oppressive tax, comprehending all the taxes of Britain, however variously modified or compounded. And we wish to have it forever fixed on your minds, that by a monopoly of trade every pretence to internal taxation is given up; for were you even without a constitution of your own, and as dependant as usurpation has endeavored to make you, the monopoly of your trade is more than a full and equitable compensation for all other taxes, and it will not appear paradoxical to futurity, that the rise and fall of the British empire have been owing to this act; and the engine by which the wise politician, who framed it, designed to wind up and connect the British interest all over the world, we have seen employed as the wheel on which British liberty and grandeur have disgracefully expired.

The anticipation of public revenue has fixed the crisis of Britain, the labor of their people for all succeeding generations being engaged to pay the interests of their public debts. I cannot suppose it an unfair deduction to say they are all born in a

state of slavery, for an obligation to work for any other purpose than one's own advantage, is truly the condition of a slave, and every new tax adds a link to the chain. But even in this gloomy picture there is a dawn of hope; all bodies are capable of refraction to a certain degree, beyond which it is impossible to expand them ever so little, without absolute destruction. It is evident to all the world, that the nerves of public credit in England are on the rack of extension, and the dreadful explosion must follow of course; and can it be supposed that the system of weakness and folly, that has so long usurped the name of constitution, can survive the shock; and their people may yet hope to see a vigorous young one grow out of the ruins of the old.

I have it in my commission to repeat to you, my good friends, the cordial concern that congress takes in every thing that relates to the happiness of Ireland; they are sensibly affected by the load of oppressive pensions on your establishment, the arbitrary and illegal exactions of public money by king's letters; the profuse dissipation, by sinecure appointments with large salaries, and the very arbitrary and impolitic restrictions on your trade and manufactures, which are beyond example in the history of the world, and can only be equalled by that illiberal spirit which directs it, and which has shewn itself so abundantly in petitions from all parts of their islands, and in the debate in their house of commons, when you had been lately amused with the vain hope of an extension of your trade, and which were conducted with such temper; and language as might be supposed to suit their copper colored allies in America, but must fix a stain on the character of a civilized nation forever.

When I had the pleasure of residing in your capital some years ago, it gave me pain to observe such a debility and morbid languor in every department of your government, as would have disgraced anarchy itself; the laws are too weak to execute themselves, and vice and violence often reign with impunity; and even the military with you seem to claim an exemption from all civil restraint, or jurisdiction, and individuals are forced to trust to themselves for that security and protection which the government of the country can no longer afford them. We congratulate you however, on the bright prospect which the western hemisphere has afforded to you, and the oppressed of every nation, and we trust that the liberation of your country has been effected in America, and that you never will



be called on for those painful, though necessary exertions, which the sacred love of liberty inspires, and which have enabled us to establish our freedom forever.

We hope the political Quixots of Great Britain will no longer be able to disturb the peace and happiness of mankind, and which Providence has permitted perhaps to shew the monstrous abuse of power; yet lost to all public virtue as they are, we wish they may turn from their wickedness and live; and we doubt not the noble efforts of America will meet the full approbation of every virtuous Briton, when they shall be able to distinguish between the mad pursuits of government and the true interest of their people. But as for you, our dear and good friends of Ireland, we must cordially recommend to you to continue peaceable and quiet in every possible situation of your affairs, and endeavour, by mutual good will, to supply the defects of administration. But if the government, whom you at this time acknowledge, does not, in conformity to her own true interest, take off and remove every restraint on your trade, commerce and manufactures, I am charged to assure you, that means will be found to establish your freedom in this respect, in the fullest and amplest manner. And as it is the ardent wish of America to promote, as far as her other engagements will permit, a reciprocal commercial interest with you, I am to assure you, they will seek every means to establish and extend it; and it has given the most sensible pleasure to have those instructions committed to my care, as I have ever retained the most perfect good will and esteem for the people of Ireland. And am, with every sentiment of respect, their obedient and humble servant, BENJAMIN FRANKLIN.

*Versailles, October 4, 1778.*

### Mr. Barlow's Oration, July 4, 1787.

An oration, delivered at the North church in Hartford, at the meeting of the Connecticut society of the Cincinnati, July the fourth, 1787, in commemoration of the independence of the United States—by Joel Barlow, esq. and published by desire of said society.

*Mr. President, gentlemen of the society,  
and fellow-citizens,*

On the anniversary of so great an event, as the birth of the empire in which we live, none will question the propriety of passing a few moments in contemplating the various objects suggested to the mind by the important occasion. But, at the present period, while the blessings, claimed by

the sword of victory, and promised in the voice of peace, remain to be confirmed by our future exertions—while the nourishment, the growth, and even the existence of our empire depend upon the united efforts of an extensive and divided people—the duties of this day ascend from amusement and congratulation to a serious patriotic employment.

We are assembled, my friends, not to boast, but to realize—not to inflate our national vanity by a pompous relation of past achievements in the council, or in the field; but, from a modest retrospect of the truly dignified part already acted by our countrymen—from an accurate view of our present situation—and from an anticipation of the scenes that remain to be unfolded—to discern and familiarise the duties that still await us, as citizens, as soldiers, and as men.

Revolutions in other countries have been effected by accident. The faculties of human reason and the rights of human nature have been the sport of chance and the prey of ambition. And when indignation has burst the bands of slavery, to the destruction of one tyrant, it was only to impose the manacles of another. This arose from the imperfection of that early stage of society, which necessarily occasioned the foundation of empires on the eastern continent to be laid in ignorance, and which induced a total inability of foreseeing the improvements of civilization, or of adapting the government to a state of social refinement.

I shall but repeat a common observation, when I remark, that on the western continent, the scene was entirely different, and a new task, totally unknown to the legislators of other nations, was imposed upon the fathers of the American empire.

Here was a people thinly scattered over an extensive territory, lords of the soil on which they trode, commanding a prodigious length of coast and an equal breadth of frontier—a people habituated to liberty, professing a mild and benevolent religion, and highly advanced in science and civilization. To conduct such a people in a revolution, the address must be made to reason, as well as to the passions. And to reason, to the clear understanding of these variously affected colonies, the solemn address was made.

A people thus enlightened, and capable of discerning the connexion of causes with their remotest effects, waited not the experience of oppression in their own persons; which they well knew would render them less able to conduct a regular op-

position. But in the moment of their greatest prosperity, when every heart expanded with the increasing opulence of the British American dominions, and every tongue united in the praises of the parent state and her patriot king, when many circumstances concurred, which would have rendered an ignorant people secure and inattentive to their future interests—at this moment the eyes of the American Argus were opened to the first and most plausible invasion of the colonial rights.

In vain were we told, and perhaps with the greatest truth and sincerity, that the monies levied in America were all to be expended within the country, and for our benefit; equally idle was the policy of Great Britain, in commencing her new system by a small and almost imperceptible duty, and that upon very few articles. It was not the quantity of the tax, it was not the mode of appropriation, but it was the right of the demand, which was called in question. Upon this the people deliberated: this they discussed in a cool and dispassionate manner: and this they opposed, in every shape that an artful and systematic ministry could devise, for more than ten years, before they assumed the sword.

This single circumstance, aside from the magnitude of the object, or the event of the contest, will stamp a peculiar glory on the American revolution, and mark it as a distinguished era in the history of mankind; that sober reason and reflection have done the work of enthusiasm, and performed the miracles of Gods. In what other age or nation has a laborious and agricultural people, at ease upon their own farms, secure and distant from the approach of fleets and armies, tide-waiters, and stamp-masters, reasoned before they had felt, and, from the dictates of duty and conscience, encountered dangers, distress, and poverty, for the sake of securing to posterity a government of independence and peace? The toils of ages and the fate of millions were to be sustained by a few hands. The voice of unborn nations called upon them for safety; but it was a still small voice, the voice of rational reflection. Here was no Cromwell to inflame the people with bigotry and zeal, no Cæsar to reward his followers with the spoils of vanquished foes, and no territory to acquire by conquest. Ambition, superstition, and avarice, those universal torches of war, never illumined an American field of battle: But the permanent principles of sober policy spread through the colonies, roused the people to assert their rights, and conducted the revolution.

It would be wandering from the objects which ought to occupy our present attention, again\* to recount the numerous acts of the British parliament which composed that system of tyranny designed for the subjugation of America: neither can we indulge in the detail of those memorable events, which marked our various stages of resistance, from the glooms of unsuccessful supplication, to the splendor of victory and acknowledged sovereignty. The former were the theme of senatorial eloquence, producing miracles of union and exertion in every part of the continent, till we find them preserved for everlasting remembrance in that declaratory act of independence, which gave being to an empire, and dignified the day we now commemorate; the latter are fresh in the memory of every person of the least information. It would be impertinence, if not a breach of delicacy, to attempt a recital of those glorious achievements, especially before an audience, part of whom have been distinguished actors in the scene, others the anxious and applauding spectators. To the faithful historian we resign the task—the historian, whom it is hoped the present age will deem it their duty, as well as their interest, to furnish, encourage, and support.

Whatever praise is due for the task already performed, it is certain that much remains to be done. The revolution is but half completed. Independence and government were the two objects contended for: and but one is yet obtained. To the glory of the present age, and the admiration of the future, our severance from the British empire was conducted upon principles as noble, as they were new and unprecedented in the history of human actions. Could the same generous principles, the same wisdom and unanimity be exerted in effecting the establishment of a permanent federal system, what an additional lustre would it pour upon the present age! a lustre hitherto unequalled; a display of magnanimity for which mankind may never behold another opportunity.

Without an efficient government, our independence will cease to be a blessing. Shall that glow of patriotism and unshaken perseverance, which has been so long conspicuous in the American character, desert us at our utmost need? Shall we lose sight of our own happiness, because it has grown familiar by a near approach? Shall we

\*This oration was preceded by the lecture of the act of independence; which, by an order of this state society, is in future to make part of their public exercises at every annual meeting.

labors, O Washington, have been bestowed in vain! Hast thou conducted us to independence and peace, and shall we not receive the blessings at thy hands? Where are the shades of our fallen friends? and what is their language on this occasion? Warren, Montgomery, Mercer, Wooster, Seammel, and Laurens, all ye hosts of departed heroes! rich is the treasure you have lavished in the cause, and prevalent the price you have paid for our freedom. Shall the purchase be neglected? the fair inheritance lie without improvement, exposed to every daring invader? Forbid it, honor; forbid it, gratitude; and oh, may Heaven avert the impending evil.

In contemplating the price of our independence, it will never be forgotten, that it was not entirely the work of our own hands; nor could it probably have been established, in the same term of time, by all the blood and treasure that America, unassisted, was able to furnish for the contest. Much of the merit is due, and our warmest acknowledgments shall ever flow to that illustrious monarch, the father of nations and friend of the distressed—that monarch who, by his early assistance, taught us not to despair; and who, when we had given a sufficient proof of our military virtue and perseverance, joined us in alliance, upon terms of equality; gave us a rank and credit among the maritime nations of Europe; and furnished fleets and armies, money and military stores, to put a splendid period to the important conflict.

Where shall we find language to express a nation's gratitude for such unexampled goodness and magnanimity? my friends, it is not to be done with language. Our sense of obligation for favors received from Heaven, is best expressed by a wise improvement. Does Louis ask for more? and can duty be satisfied with less? Unite in a permanent federal government; put your commerce upon a respectable footing; your arts and manufactures, your population, your wealth and glory will increase; and when a hundred millions of people are comprised within your territory, and made happy by your sway, then shall it be known, that the hand of that monarch assisted in planting the vine, from which so great a harvest is produced. His generous heart shall exult in the prospect: his royal descendants, fired by the great example, shall imitate his virtues: and the world shall unite in his praise.

Here shall that pride of the military character, the gallant FAYETTE, find his compensation for a life of disinterested service; whose toils have

not ceased with the termination of the war; and whose successful endeavors to promote an interest, in commercial and political arrangements, can only be equalled by his achievements in the field. How will the posterity of that nobleman, and that of the other brave officers of his nation, who have fought by your sides, on reviewing the American history, rejoice in the fame of their fathers; nor even regret the fate of those who bled in so glorious a field!

An acknowledgment of the merits of Rochambeau and Chastellux, D'Estaing, De Grasse, De Barras, and the other heroes of the French army and navy—affection to the memory of our brethren and companions who have bled in our battles—reverence to the advice of our illustrious commander in chief, and of all those sages and patriots who have composed our councils, from the time of the first congress to the present moment—honour to our worthy creditors in Europe—a regard to the conduct of the imperial sovereigns of Russia and Germany, who evince to the world that they revere the cause of liberality and human happiness, in which we drew the sword—a respect to the memory of the venerable Frederic of Prussia, whose dying hand put the signature to a treaty of commerce with the United States, upon the most liberal principles that ever originated in a diplomatic council—a sacred regard to ourselves and to all posterity—and, above all, a religious gratitude to our Heavenly Benefactor, who hath hitherto smiled upon our endeavors—call upon us, in the language of a thousand tongues, for firmness, unanimity, and perseverance, in completing the revolution, and establishing the empire.

The present is justly considered an alarming crisis: perhaps the most alarming that America ever saw. We have contended with the most powerful nation, and subdued the bravest and best appointed armies: but now we have to contend with ourselves, and encounter passions and prejudices, more powerful than armies, and more dangerous to our peace. It is not for glory, it is for existence that we contend.

Much is expected from the federal convention now sitting at Philadelphia: and it is a happy circumstance that so general a confidence from all parts of the country is centred in that respectable body. Their former services, as individuals, command it, and our situation requires it. But although much is expected from them, yet more is demanded from ourselves.

The first great object is to convince the people of the importance of their present situation: for the majority of a great people, on a subject which they understand, will never act wrong. If ever there was a time, in any age or nation, when the fate of millions depended on the voice of one, it is the present period in these states. Every free citizen of the American empire ought now to consider himself as the legislator of half mankind. When he views the amazing extent of territory, settled and to be settled under the operation of his laws—when, like a wise politician, he contemplates the population of future ages—the changes to be wrought by the possible progress of arts, in agriculture, commerce, and manufactures—the increasing connexion and intercourse of nations, and the effect of one rational political system upon the general happiness of mankind—his mind, dilated with the great idea, will realize a liberality of feeling which leads to a rectitude of conduct. He will see that the system to be established by his suffrage, is calculated for the great benevolent purposes of extending peace, happiness, and progressive improvement to a large proportion of his fellow creatures. As there is a probability that the system to be proposed by the convention may answer this description, there is some reason to hope it will be viewed by the people with that candour and dispassionate respect which is due to the importance of the subject.

While the anxiety of the feeling heart is breathing the perpetual sigh for the attainment of so great an object, it becomes the strongest duty of the social connexion, to enlighten and harmonize the minds of our fellow-citizens, and point them to a knowledge of their interests, as an extensive federal people, and fathers of increasing nations. The price put into their hands is great, beyond all comparison; and, as they improve it, they will entail happiness or misery upon a larger proportion of human beings, than could be affected by the conduct of all the nations of Europe united.

Those who are possessed of abilities or information in any degree above the common rank of their fellow-citizens, are called upon by every principle of humanity, to diffuse a spirit of candour and rational enquiry upon these important subjects.

Adams, to his immortal honor, and the timely assistance of his country, has set the great example. His treatise in defence of the constitutions, though confined to the state republics, is calculated to do infinite service, by correcting thousands

of erroneous sentiments arising from our inexperience: sentiments which, if uncorrected in this early stage of our political existence, will be the source of calamities without measure and without end. Should that venerable philosopher and statesman be induced to continue his enquiries, by tracing the history of confederacies, and with his usual energy and perspicuity, delineate and defend a system adapted to the circumstances of the United States—I will not say he could deserve more from his distressed country, but he would crown a life of patriotic labors, and render an essential additional service to the world.

While America enjoys the peculiar felicity of seeing those, who have conducted her councils and her battles, retire, like Cincinnatus, to the humble labors of the plough, it must be remembered that she there expects a continuance of their patriotic exertions. The society of the Cincinnati, established upon the most benevolent principles, will never lose sight of their duty, in rendering every possible aid, as citizens, to that community which they have defended, as soldiers. They will rejoice, that, although independence was the result of force, yet government is the child of reason. As they are themselves an example of the noblest effort of human nature, the conquest of self, in obeying the voice of their country, and exchanging the habits, the splendor, and importance of military life, for domestic labor and poverty—they will readily inculcate on others, the propriety of sacrificing private and territorial advantages, to the good of the great majority, the salvation of the United States.

Slaves to no party, but servants of the whole, they have wielded the sword of every state in the union, and bled by the side of her sons. Their attachments are as extensive as their labors.—Friendship and charity, the great pillars of their institution, will find their proper objects, through the extended territory, and seek the happiness of all.

While we contemplate the endearing objects of our association—and indulge in the gloomy pleasure of recollecting that variety of suffering which prompted the sympathetic soldier to institute this memorial of his friendship—fraternal affection recalls the scene of parting, and enquires with solicitude the fate of our beloved companions.

Since the last anniversary, the death of general Howe has diminished the number of our brethren, and called for the tribute of a tear. With some of

the foibles, incident to human nature, he possessed many valuable accomplishments. His natural good understanding he had embellished with considerable attention to polite literature. As a soldier, he was brave—as an officer, attentive to discipline; he commanded with dignity and obeyed with alacrity; and whatever talents he possessed, were uniformly and cheerfully devoted to the service of his country.

But a few weeks previous to that period, the much lamented deaths of Tilghman and M'Dougall were successively announced, and the tidings received with a peculiar poignancy of grief. What citizen of the American empire does not join the general voice of gratitude, when contemplating the merits of those distinguishing officers, and swell the tide of sympathy, with his bereaved country, when deprived of their future assistance? They were ornaments to the states in which they lived, as well as to the profession in which they acquired their glory.

Amiable and heroic Tilghman! short was the career of thy fame; but much hast thou performed for thy country. Of thee shall it ever be remembered, that no social virtue was a stranger to thy breast, and no military achievement too daring for thy sword. While we condole with thy afflicted father for the loss of so dear a son, permit the tear of friendship to flow for its own bereavement: and as oft as the anniversary of this day shall assemble the companions of thy life, to rejoice in the freedom of their country; they shall mingle a sigh to thy lasting memory, and bewail thy untimely fate.

Untimely also was the death of the brave and patriotic M'Dougall. Though many years were worn away in his unremitted labors for the public safety—though his early and decided exertions against the claims of Great Britain had an essential influence in determining the conduct of the province in which he resided—though he was the nerve of war, the wisdom of council and one of our principal supporters in the acquiescence of independence—yet these but shew us the necessity of such characters in establishing the blessings of the acquisition. While it shall require the same wisdom and unshaken fortitude, the same patience and perseverance, to rear the fabric of our empire, as it did to lay the foundation—patriotism and valour, in sympathetic affection, will bemoan the loss of M'Dougall.

Happy would it be for America, thrice happy for the feelings of sorrowing friendship, could the

list of our deceased companions be closed with the names of those worthy heroes. But Heaven had bestowed too much glory upon the life of the favorite Greene, to allow it a long duration.

My affectionate auditory will anticipate more than can be uttered, in the melancholy duty of contemplating his distinguished excellence. To say assembly that could be collected in America, vain would be the attempt to illustrate his character, or embellish the scene of his exploits. It is a subject to be felt, but not to be described. To posterity, indeed, it may be told, as an incentive to the most exalted virtue and astonishing enterprise, that the man, who carried in his native genius all the resources of war, and the balance of every extreme of fortune—who knew the advantages to be derived from defeat, the vigilance of military arrangement, the rapidity and happy moment of assault, the deliberate activity of battle, and the various important uses of victory—that the man who possessed every conceivable quality of a warrior, was, in his public and private character, without a foible or a fault; that all the amiable as well as heroic virtues were assembled in his soul: and that it was the love, of a rational and enlightened age, and not the stupid stare of barbarity, that expressed his praise.

The map of America may designate the vast extent of conquered country recovered by his sword: the future traveller, in the southern states, may be pointed, by the peasant, to the various regions containing monuments of his valor and his skill; where, amid his marches and counter-marches, his studied retreats and his rapid approaches, every advantage, given to the enemy, was resumed with ten-fold utility and certain conquest. The historic muse, as a legacy to future ages, may transmit with heroic dignity the feats of her favorite chief: but who shall transmit the feelings of the heart—or give the more interesting representation of his worth? the hero will remain; but the man must be lost.

The grief of his bereaved consort, aggravated by the universal testimony of his merit, we hope will receive some alleviation from the ardent sympathy of thousands, whose hearts were penetrated with his virtues, and whose tears would have flowed upon his hearse.

But we will not open afresh the wounds which we cannot close. The best eulogium of the good and great is expressed by an emulation of their

virtues. As those of the illustrious Greene were equally useful in every department, in which human society can call a man to act, every friend to America must feel the want of his assistance, in the duties that remain to be performed. Yet, as these duties are of the rational and pacific kind, the performance is more attainable, and emulation the better encouraged. In military operations, none but the soldier can be distinguished, nor any but the fortunate are sure of rendering service: but here is a theatre of action for every citizen of a great country: in which the smallest circumstance will have its weight, and on which infinite consequences will depend.

The present is an age of philosophy, and America the empire of reason. Here, neither the pageantry of courts, nor the glooms of superstition, have dazzled or beclouded the mind. Our duty calls us to act worthy of the age and the country that gave us birth. Though inexperience may have betrayed us into errors—yet they have not been fatal: and our own discernment will point us to their proper remedy.

However defective the present confederated system may appear—yet a due consideration of the circumstances, under which it was framed, will teach us rather to admire its wisdom, than to murmur at its faults. The same political abilities, which were displayed in that institution, united with the experience we have had of its operation, will doubtless produce a system, which will stand the test of ages, in forming a powerful and happy people.

Elevated with the extensive prospect, we may consider present inconveniencies as unworthy of regret. At the close of the war, an uncommon plenty of circulating specie, and a universal passion for trade, tempted many individuals to involve themselves in ruin, and injure the credit of their country. But these are evils which work their own remedy. The paroxysm is already over. Industry is increasing faster than ever it declined; and, with some exceptions, where legislative authority has sanctioned fraud, the people are honestly discharging their private debts, and increasing the resources of their wealth.

Every possible encouragement, for great and generous exertions, is now presented before us. Under the idea of a permanent and happy government, every point of view, in which the future situation of America can be placed, fills the mind with peculiar dignity; and opens an unbounded

field of thought. The natural resources of the country are inconceivably various and great. The enterprising genius of the people promises a most rapid improvement in all the arts that embellish human nature. The blessings of a rational government will invite emigrations from the rest of the world, and fill the empire with the worthiest and happiest of mankind; while the example of political wisdom and felicity, here to be displayed, will excite emulation through the kingdoms of the earth, and meliorate the condition of the human race.

In the pleasing contemplation of such glorious events, and comparing the scenes of action that adorn the western hemisphere, with what has taken place in the east, may we not apply to our country the language of the prophet of Israel, though spoken on a different occasion—"The glory of this latter house shall be greater than the former, saith the Lord of Hosts: and in this place will I give peace, saith the Lord of Hosts:"—peace to any disorders that may at present subsist among us—peace to the contending passions of nations—peace to this empire, to future ages, and through the extended world!

#### THE SENTIMENTS OF AN AMERICAN WOMAN.

*From a Philadelphia paper dated June, 1780.*

On the commencement of actual war, the women of America manifested a firm resolution to contribute as much as could depend on them, to the deliverance of their country. Animated by the purest patriotism, they are sensible of sorrow at this day, in not offering more than barren wishes for the success of so glorious a revolution. They aspire to render themselves more really useful; and this sentiment is universal from the north to the south of the thirteen United States. Our ambition is kindled by the fame of those heroines of antiquity, who have rendered their sex illustrious, and have proved to the universe, that, if the weakness of our constitution, if opinion and manners did not forbid us to march to glory by the same paths as the men, we should at least equal, and sometimes surpass them in our love for the public good. I glory in all that which my sex has done great and commendable. I call to mind with enthusiasm and with admiration, all those acts of courage, of constancy and patriotism, which history has transmitted to us: The people favored by heaven, preserved from destruction by the virtue, the zeal and the resolution of Deborah, of Judith, of Esther! The fortitude of the mother of the Machabees, in giving up her sons to die before her eyes: *Rome saved*

from the fury of a victorious enemy by the efforts of Volumnia, and other Roman ladies. So many famous sieges, where the women have been seen forgetting the weakness of their sex, building new walls, digging trenches with their feeble hands, furnishing arms to their defenders, they themselves darting the missile weapons on the enemy, resigning the ornaments of their apparel, and their fortune, to fill the public treasury, and to hasten the deliverance of their country; burying themselves under its ruins; throwing themselves into the flames rather than submit to the disgrace of humiliation before a proud enemy.

Born for liberty, disdaining to bear the irons of a tyrannic government, we associate ourselves to the grandeur of those sovereigns, cherished and revered, who have held with so much splendor the sceptre of the greatest states. The Matildas, the Elizabeths, the Marias, the Catharines, who have extended the empire of liberty, and, contented to reign by sweetness and justice, have broken the chains of slavery, forged by tyrants in the times of ignorance and barbarity. The Spanish women, do they not make, at this moment, the most patriotic sacrifices, to increase the means of victory in the hands of their sovereign? He is a friend to the French nation. They are our allies. We call to mind, doubly interested, that it was a French maid who kindled up amongst her fellow citizens, the flame of patriotism buried under long misfortunes: It was the maid of Orleans who drove from the kingdom of France the ancestors of those same British, whose odious yoke we have just shaken off; and whom it is necessary that we drive from this continent.

But I must limit myself to the recollection of this small number of achievements. Who knows if persons disposed to censure, and sometimes too severely with regard to us, may not disapprove our appearing acquainted even with the actions of which our sex boasts? We are at least certain, that he cannot be a good citizen who will not applaud our efforts for the relief of the armies which defend our lives, our possessions, our liberty? The situation of our soldiery has been represented to me; the evils inseparable from war, and the firm and generous spirit which has enabled them to support these. But it has been said, that they may apprehend, that, in the course of a long war, the view of their distresses may be lost, and their services forgotten. Forgotten! never; I can answer in the name of all my sex. Brave Americans, your

disinterestedness, your courage, and your constancy will always be dear to America, as long as she shall preserve her virtue.

We know that, at a distance from the theatre of war, if we enjoy any tranquility, it is the fruit of your watchings, your labors, your dangers. If I live happy in the midst of my family, if my husband cultivates his field, and reaps his harvest in peace; if, surrounded with my children, I myself nourish the youngest, and press it to my breast, without being afraid of seeing myself separated from it, by a ferocious enemy; if the house in which we dwell; if our barns, our orchards are safe at the present time from the hands of those incendiaries, it is to you that we owe it. And shall we hesitate to evidence to you our gratitude? Shall we hesitate to wear a clothing more simple; hab-dresses less elegant, while, at the price of this small privation, we shall deserve your benedictions. Who amongst us, will not renounce, with the highest pleasure, those vain ornaments, when she shall consider that the valiant defenders of America will be able to draw some advantage from the money which she may have laid out in these; that they will be better defended from the rigors of the seasons; that, after their painful toils, they will receive some extraordinary and unexpected relief; that these presents will perhaps be valued by them at a greater price, when they will have it in their power to say: *This is the offering of the ladies.* The time is arrived to display the same sentiments which animated us at the beginning of the revolution, when we renounced the use of teas, however agreeable to our taste, rather than receive them from our persecutors; when we made it appear to them that we placed former necessities in the rank of superfluities, when our liberty was interested; when our republican and laborious hands spun the flax, prepared the linen intended for the use of our soldiers; when exiles and fugitives we supported with courage all the evils which are the concomitants of war. Let us not lose a moment; let us be engaged to offer the homage of our gratitude at the altar of military valor, and you, our brave deliverers, while mercenary slaves combat to cause you to share with them, the irons with which they are loaded, receive with a free hand our offering, the purest which can be presented to your virtues,

By an

AMERICAN WOMAN.

### General Arnold.

The following is the letter of this infamous man to the commander in chief, after his treason, and

an account of a procession which was had in the city of Philadelphia a day or two after the date of this letter:

*"On board the Future, Sept. 25, 1780.*

"SIR—The heart which is conscious of its own rectitude cannot attempt to palliate a step which the world may censure as wrong; I have ever acted from a principle of love to my country, since the commencement of the present unhappy contest between Great Britain and the colonies; the same principle of love to my country actuates my present conduct, however it may appear inconsistent to the world, who very seldom judges right of any men's actions.

"I have no favor to ask for myself. I have too often experienced the ingratitude of my country to attempt it; but from the known humanity of your excellency, I am induced to ask your protection for Mrs Arnold, from every insult and injury that the mistaken vengeance of my country may expose her to. It ought to fall only on me, she is as good and as innocent as an angel, and is incapable of doing wrong. I beg she may be permitted to return to her friends in Philadelphia, or to come to me as she may choose; from your excellency I have no fears on her account, but she may suffer from the mistaken fury of the country.

"I have to request that the enclosed letter may be delivered to Mrs. Arnold, and she permitted to write to me.

"I have also to ask that my clothes and baggage, which are of little consequence, may be sent to me; if required, their value shall be paid in money,

*"I have the honor to be, with great regard and esteem, your excellency's most obedient humble servant,*

B. ARNOLD.

*"His excellency, general Washington.*

"N. B. In justice to the gentlemen of my family, col. Varrick and major Franks, I think myself in honor bound to declare, that they, as well as Joshua Smith, esq. (who I know are suspected) are totally ignorant of any transactions of mine, that they had reason to believe were injurious to the public."

*A concise description of the figures exhibited and paraded through the streets of this city on Saturday last.*

A stage raised on the body of a cart, on which was an effigy of general Arnold sitting; this was

dressed in regimentals, had two faces, emblematical of his traitorous conduct, a mask in his left hand, and a letter in his right from Belzebub, telling him that he had done all the mischief he could do, and now he must hang himself.

At the back of the general, was a figure of the devil, dressed in black robes, shaking a purse of money at the general's left ear, and in his right hand a pitch-fork, ready to drive him into hell, as the reward due for the many crimes which his thirst of gold had made him commit.

In the front of the stage, and before general Arnold, was placed a large lanthorn of transparent paper, with the consequences of his crimes thus delineated, *i. e.* on one part general Arnold on his knees before the devil, who is pulling him into the flames—a label from the general's mouth with these words, "My dear sir, I have served you faithfully," to which the devil replies, "And I'll reward you." On another side, two figures hanging, inscribed, "The Traitor's Reward," and wrote underneath, "The adjutant general of the British army, and Joe Smith; the first hanged as a spy, and the other as a traitor to his country." And on the front of the lanthorn was wrote the following:—

*"Major general Benedict Arnold, late commander of the fort West Point. The crime of this man is high treason.*

"He has deserted the important post, *West Point*, on Hudson's river, committed to his charge by his excellency the commander in chief, and is gone off to the enemy at New York.

"His design to have given up this fortress to our enemies has been discovered by the goodness of the Omniscient Creator, who has not only prevented him from carrying it into execution, but has thrown into our hands *Andre*, the adjutant general of their army, who was detected in the infamous character of a spy.

"The treachery of the ungrateful general is held up to public view, for the exposition of infamy; and to proclaim, with joyful acclamation, another instance of the interposition of bounteous Providence.

"The effigy of this ingrate is therefore hanged (for want of his body) as a traitor to his native country, and a betrayer of the laws of honor."

The procession began about four o'clock, in the following order:



## PRINCIPLES AND ACTS OF THE REVOLUTION.

Several gentlemen mounted on horseback.

A line of continental officers.

Sundry gentlemen in a line.

A guard of the city infantry.

Just before the cart, drums and fifes playing the  
Rogues march.

Guards on each side.

The procession was attended with a numerous concourse of people, who, after expressing their abhorrence of the treason and the traitor, committed him to the flames, and left both the effigy and the original to sink into ashes and oblivion.

### PROCLAMATION.

Whereas, it hath pleased Almighty God, the Father of mercies, remarkably to assist and support the United States of America, in their important struggle for liberty, against the long continued efforts of a powerful nation, it is the duty of all ranks to observe and thankfully acknowledge the interpositions of his Providence in their behalf. Through the whole of the contest, from its first rise, to this time, the influence of Divine Providence may be clearly perceived in many signal instances, of which we mention but few.

In revealing the councils of our enemies, when the discoveries were seasonable and important, and the means were seemingly inadequate or fortuitous;—in preserving and even improving the union of the several states, on the breach of which our enemies placed their greatest dependence;—in increasing the number, and adding to the zeal and attachment of the friends of liberty;—in granting remarkable deliverances, and blessing us with the most signal success, when affairs seemed to have the most discouraging appearance;—in raising up for us a powerful and generous ally, in one of the first of the European powers;—in confounding the councils of our enemies, and suffering them to pursue such measures, as have most directly contributed to frustrate their own desires and expectations,—above all, in making their extreme cruelty to the inhabitants of these states, when in their power, and their savage devastation of property, the very means of cementing our union, and adding vigour to every effort in opposition to them.

And as we cannot help leading the good people of these states to a retrospect on the events

which have taken place since the beginning of the war, so we recommend, in a particular manner, to their observation, the goodness of God in the year now drawing to a conclusion. In which the confederation of the United States has been completed—in which there have been so many instances of prowess and success in our arms, particularly in the southern states, where, notwithstanding the difficulties with which they had to struggle, they have recovered the whole country which the enemy had over-run, leaving them only a post or two, on or near the sea;—in which we have been so powerfully and effectually assisted by our allies, while in all the conjunct operations the most perfect harmony has subsisted in the allied army;—in which there has been so plentiful a harvest, and so great abundance of the fruits of the earth of every kind, as not only enables us easily to supply the wants of our army, but gives comfort and happiness to the whole people—and, in which, after the success of our allies by sea, a general of the first rank, with his whole army, has been captured by the allied forces, under the direction of our commander in chief.

It is therefore recommended to the several states to set apart the thirteenth day of December next, to be religiously observed as a day of thanksgiving and prayer; that all the people may assemble on that day, with grateful hearts, to celebrate the praises of our gracious Benefactor; to confess our manifold sins; to offer up our most fervent supplications to the God of all Grace, that it may please him to pardon our offences, and incline our hearts for the future to keep all his laws; to comfort and relieve all our brethren who are in distress or captivity; to prosper our husbandmen, and give success to all engaged in lawful commerce; to impart wisdom and integrity to our counsellors, judgment and fortitude to our officers and soldiers, to protect and prosper our illustrious ally, and favor our united exertions for the speedy establishment of a safe, honorable, and lasting peace; to bless all seminaries of learning; and cause the knowledge of God to cover the earth, as the waters cover the seas.

Done in congress this twenty-sixth day of October, in the year of our Lord one thousand seven hundred and eighty one, and in the sixth year of the independence of the United States of America.

THOMAS M'KEAN, *president*.

Attest, CHARLES THOMSON, *sec'y*.

BALTIMORE, November 13, 1781.

*The address of the citizens of Baltimore to the honorable major general, the marquis de la Fayette.*

It is with peculiar satisfaction that the citizens of Baltimore embrace the present moment, to express a gratitude which they will always owe to major general the marquis de la Fayette; and to congratulate him, personally, on the late important events in Virginia and South Carolina, so glorious and consequential to America.

Among the first in our cause, you early found a way to our affections, with him, who has struggled with our various difficulties since their beginning. At a time when we had no ally, you were our friend; and when we gained an ally, your presence and good offices could not but increase a cordiality which must render our union with France permanent.

In particular, we cannot sufficiently acknowledge our sense of your late campaign in Virginia, where, with a few regulars and militia, you opposed the British commander, from whose large army, and military talents, this state had such serious cause of apprehension.

These things, sir, have rendered you dear to us, and we feel the highest gratification in seeing, once more, in our town, the man who will always hold a first place in our hearts.

BALTIMORE, 5th November, 1781.

*The answer of major general de la Fayette to the address from the citizens of Baltimore.*

In the affectionate attentions of the citizens of a free town, I would find a reward for the services of a whole life. The honor to have been among the first American soldiers, is for me a source of the greatest happiness.

I participate with you in the glorious events that have taken place under his excellency general Washington's immediate command, and under general Greene. I enjoy the effects these will have on the success of our noble cause, and particularly the advantages which they will afford to this state.

The time when I had the honor to command the army in Virginia, which you are pleased so politely to mention, has only shewn that the courage and fortitude of American troops are superior to every kind of difficulty.

My campaign began with a personal obligation to the inhabitants of Baltimore; at the end of it I find myself bound to them by a new tie of everlasting gratitude.

LA FAYETTE.

FROM THE LONDON CHRONICLE, MARCH 9, 1782.

*The humble and dutiful declaration and address of his majesty's American loyalists, to the king's most excellent majesty, to both houses of parliament and the people of Great Britain.*

We, his majesty's most dutiful and faithful subjects, the loyal inhabitants of America, who have happily got within the protection of the British forces, as well as those who, though too wise not to have foreseen the fatal tendency of the present wanton and causeless rebellion, yet, from numberless obstacles, and unexampled severities, have hitherto been compelled to remain under the tyranny of the rebels, and submit to the measures of congressional usurpation; animated with the purest principles of duty and allegiance to his majesty and the British parliament, beg leave, with the deepest humility and reverence, on the present calamitous occasion of public and national misfortune, in the surrender of lord Cornwallis, and the army under his lordship's command, at York-Town, humbly to entreat that your majesty, and the parliament, would be graciously pleased to permit us to offer this renewed testimony of loyalty and attachment to our most gracious sovereign, and the British nation and government; and thus publicly to repeat our most heart-felt acknowledgments for the infinite obligations we feel ourselves under for the heavy expenses that have been incurred, and the great national exertions that have been made, to save and rescue us, and your American colonies, from impending ruin, and the accumulated distresses and calamities of civil war. For such distinguished proofs of national ease and regard, we confess ourselves unable to make that adequate return which our hearts, replete with the most dutiful and grateful sensations, most willingly offer, but which we have not words sufficient to express. Our sufferings as men, and our duty as loyal subjects, point out to us at once, the propriety, in our present situation, of thus publicly repeating our assurances, that we revere, with a kind of holy enthusiasm, the ancient constitution of the American colonies; and that we cannot but lament every event, and be anxiously solicitous to remove every cause or suspicion, that might have the most distant tendency to separate the two countries, or in any remote degree to lessen the claim we have to the present aid and continued exertions of Great Britain; especially if it should arise from any misrepresentation or distrust, either of our fidelity or numbers, to entitle us to the future countenance and protection of that sovereign and nation, whose government and laws, we call God

to witness, that, in the integrity of our souls, we prefer to all others. The local prejudices of birth and education, and the weight of past and happy experience, conspire together to render, in our breasts, most sacred and inestimable, our relation to British subjects and British laws. We deem it more valuable than life itself, and under the most trying circumstances, have invariably resolved, in defiance of every hazard, to assert our rights; and, as far as in our power, in opposition to every other state and kingdom in the world, to adhere to the nation and country from which we sprung; and to which, with honest pride and gratitude, we acknowledge that we owe both our natural and political existence.

Unhappy, indeed, for ourselves, and we cannot but think unfortunately too for Great Britain, the number of well affected inhabitants in America to the parent country, cannot, for obvious reasons, be exactly ascertained. But there are facts from which the most undoubted and undeniable conclusions may be inferred, and to which, for want of other evidence, we must recur, resting our appeal upon such proofs to the unerring and unbiassed decision of truth and candour.

The penalty under which any American subject enlists into his majesty's service, is no less than the immediate forfeiture of all his goods and chattels, lands and tenements; and if apprehended, and convicted by the rebels, of having enlisted, or prevailed on any other person to enlist into his majesty's service, it is considered as treason, and punished with death: Whereas, no forfeiture is incurred, or penalty annexed, to his entering into the service of congress; but, on the contrary, his property is secured, and himself rewarded.

In the former case, he withdraws himself from his family and relations, without any possibility of receiving any assistance from, or affording any relief to either. In the latter, he is subject to no such peculiar self-denials, and real distresses.—The embodying provincial corps in New-York, and sending them on service to Savannah—or in Philadelphia, and ordering them to Pensacola, when they might be more usefully employed in the province where they were raised: the drafting troops from the corps, and from under the command of officers with whom they enlisted, to form new corps, and to give a command to other officers, are all measures which have had their discouraging effects on the recruiting service.

The desultory manner also in which the war has been carried on, by first taking possession of Bos-

ton, Rhode Island, Philadelphia, Portsmouth, Norfolk, in Virginia, Wilmington, in North Carolina, &c. &c. and then evacuating them, whereby many thousand inhabitants have been involved in the greatest wretchedness, is another substantial reason why more loyalists have not enlisted into his majesty's service, or openly espoused and attached themselves to the royal cause; yet, notwithstanding all these discouraging circumstances, there are *many more men in his majesty's provincial regiments, than there are in the continental service.* Hence it cannot be doubted but that there are more loyalists in America than there are rebels; and also, that their zeal must be greater, or so many would not have enlisted into the provincial service, under such very unequal circumstances. Other reasons might be enumerated, why many more have not enlisted into his majesty's provincial service, if we were not prevented from it by motives of delicacy and tenderness to the character of the person to whose management the business of that department was principally committed.

We also infer from the small number of militia collected by general Greene, the most popular and able general in the service of congress, in the long circuitous march he took through many of the most populous, and *confessedly the most rebellious counties* in that country, that there must be a *vast majority of loyalists* in that part of America, as well as elsewhere. The presumption becomes stronger, from a consideration of the well known seduction and compulsion which were made use of by the rebel generals, and other officers, in order to embody the militia, as well as from the manner in which the militia are there mentioned by general Greene, in his public despatches in the course of one month. In that of the 10th of March, he says.—“Our militia have been upon such loose and uncertain footing, ever since we crossed the Dan, that I could attempt nothing with confidence.” In his next of the 16th, in giving his account of two brigades of militia, consisting of three captains, ten subalterns, and 561 rank and file, he returns two captains, nine subalterns, and 592 rank and file missing, besides one regiment, of which he could get no return, and adds, “those missing are supposed to have gone home.” According to the report of the generals and field officers, very few were killed or taken; most of them having thrown away their arms, and abandoned the field early in the action. In that of the 30th, he writes, “that nothing but blood and slaughter have prevailed among the whigs and tories; and their inveteracy against each other must, if it continues, depopulate

this part of the country." Surely, whole brigades throwing away their arms, and returning home, and all that sort of conduct, must carry with it the most presumptive evidence, not only of their disaffection to the measures of congress, but of their loyalty and attachment to his majesty, and the British nation and government; especially if you take into the account this well known fact, that the rebels have recruited the continental army, and in all instances assembled the militia, by deceiving some, terrifying many, and driving more, to assist in their military operations. On the contrary, the service of the loyalists has in all cases been ready and voluntary; and in many unsolicited, and in some unnoticed, if not rejected.

If it should be said, if such is the number and disposition of the loyalists in America, how comes it to pass that they have not been of more importance to his majesty's service? We answer, might it not with equal propriety be enquired, why his majesty's forces have not more fully answered the just expectations of the nation?—And might not the question with greater propriety be put to his majesty's commanders in America? A due deference to whom, we trust, will be thought the most decent apology for our waving the mention of many more of the true and undeniable causes which we have it in our power to assign. And permit us to add, that it is only from modesty, and a wish to avoid both the appearance and imputation of selfish ostentation, that we decline entering into a particular enumeration of such proofs of allegiance and fidelity, from the conduct and sufferings of American loyalists, as have never been equalled by any people, in any age, or in any country. We cannot, however, refrain from hinting at some incontestible advantages the loyalists have been of, in affording supplies to the royal army,—by acting as guides and pilots, and (independent of those employed in the provincial line) as militia and partizan troops. As corps of Refugees, they have been too often distinguished by the zeal and gallantry of their behavior, to need the mention of any particular instance; if they did, we might refer to the affair of the Block-house, opposite Fort Knyphausen, where captain Ward, with about 70 Refugees, withstood and repulsed the attack of general Wayne, at the head of three chosen brigades of continentals. As a militia, acting by themselves (for we take no notice of the many thousands that, at different times, particularly in Georgia and South Carolina, have attached themselves to the royal army) a small

party, some time ago, under the command of one Bunnion, went from Long Island to Connecticut, and there surprised and took prisoner a rebel major general, named Silliman, and several other officers.

A party of militia also not long ago went from Wilmington, in North Carolina, 60 or 70 miles into the country, and took major general Ashe, with two or three field officers, and some other persons, and brought them prisoners to his majesty's garrison at Wilmington. Another party of militia lately went near 200 miles up into the country from Wilmington, to a place called Hillsborough, and with a body of 6 or 700 militia, attacked a party of rebel troops, who were there as a guard to the rebel legislature, then sitting at that place, and took the rebel governor, Mr. Burke, several of his council, 11 continental officers, and about 120 of the troops prisoners, whom the militia delivered to major Craig, who commanded the king's troops at Wilmington. Other more voluntary alerts, preformed by the loyalists in South Carolina and elsewhere, might be mentioned without number. Surely such are not *timid friends*! We defy the most incredulous opposer of American loyalty, as well as the most determined advocate for congressional usurpation, to point out a single instance wherein the like has been done, or attempted by the rebel militia; or that they have in any instance voluntarily assembled in such numbers, or attempted any military achievements whatever, without the express orders and coercion of their tyrannical rulers.

The establishing civil government, and forming a militia in a colony as soon as the rebel army is drove out of it, is the best measure that can be adopted to make the loyal inhabitants importantly useful to the king's interest. It is the highest political absurdity that ever was thought of, to imagine that a colony is to be retained, and the peace and good order of government restored by the force of arms and martial law, and that too without the partial aid and concurrence of its inhabitants. And it is equally preposterous to expect that aid and concurrence, without some regard is paid to the prejudices and inclinations of the people. They should be treated with confidence and honored with notice, by being appointed to all offices of civil government. The protecting authority and persuasive influence of which is the only measure that can extend to, and connect the people of a British province in one common interest and voluntary submission. A

province, thus restored to the influence of civil government, and the exertions of the militia, the natural force of the country, the royal army might proceed to the next, ever keeping the rebel forces in front. Thus, province after province might and would be speedily reclaimed to their former happy and most eligible situation of British subjects.

The policy of prosecuting the American war is strikingly obvious for more reasons, but particularly as it affords the most encouraging hope that can possibly be held out to his majesty's loyalists to persevere in their principles and exertions, at the same time that it affords a number of safe ports to the royal navy during the war. It is also political, in order to prevent vast numbers of distressed people from going to England, and throwing themselves and families, helpless and ruined, upon national bounty for maintenance and support. It is humane and just, from a consideration of the repeated declarations that have been made, that "it was the gracious and firm resolution of his majesty and the British nation to persevere, in every just and necessary measure, for the redemption of his majesty's faithful American subjects from the tyranny and oppression of congress, and restoring them to the protection and benefit of British laws." The importance the possession of some part, if not the whole of the revolted colonies, must be of, as an asylum for loyalists, as well as the weight it would be of in fixing the preliminary articles, and influencing the definitive treaty, whenever such an event should take place, strongly enforces the political propriety and necessity of the American war. It also appears to be a political and necessary measure, in order to detain the rebel forces in the revolted colonies; for there can be no doubt, if his majesty's troops were withdrawn from thence, but their views and operations would be immediately turned towards the province of Quebec to the northward, and the British West India islands to the southward, and when the contiguity of the one, and the proximity of the others to the revolted colonies is considered, it is not improbable to suppose, from the connexion now subsisting between America and France, Spain and Holland, but that, by the united forces of those powers in those adjacent islands, co-operating with the Americans, that the British islands must be immediately taken; and that all the continental possessions of Great Britain would soon after be irrecoverably lost. If we take into our view the effect the evacuation of America must have upon the minds of people, and the unavoidable intercourse there has been,

and must continue to be, from the mutual wants and supplies of each other, it would be folly to imagine, but that many of the inhabitants of Quebec, and the Islands, would, from various motives, and with different views, under such circumstances, contribute in some measure towards facilitating their own reduction, and hastening the surrender to some other power. If Great Britain can maintain a naval superiority in the American seas, the continent, with proper conduct, is undoubtedly retainable. If she cannot, her insular possessions in America are still less tenable than her continental; for this plain reason, that the former are more assailable by naval force than the latter. Consequently, the prosecution of the American war with magnanimity and vigour appears to us the best, if not the only measure for re-animating his majesty's loyalists in America, to a strenuous exertion of their most distinguished endeavors, for discouraging the efforts of the rebels—for dispiriting the hostile powers of Europe, and for maintaining the dignity, and preserving the exterior territories of the British nation and empire.

Relying with the fullest confidence upon national justice and compassion to our fidelity and distresses, we can entertain no doubts but that Great Britain will prevent the ruin of her American friends, at every risk short of certain destruction to herself. But if compelled, by adversity of misfortune, from the wicked and perfidious combinations and designs of numerous and powerful enemies abroad, and more criminal and dangerous enemies at home, an idea should be formed by Great Britain of relinquishing her American colonies to the usurpation of congress, we thus solemnly call God to witness, that we think the colonies can never be so happy or so free as in a constitutional connexion with, and dependence on Great Britain; convinced, as we are, that to be a British subject, with all its consequences, is to be the happiest and freest member of any civil society in the known world—we, therefore, in justice to our members, in duty to ourselves, and in fidelity to our posterity, must not, cannot refrain from making this public declaration and appeal to the faithful subjects of every government, and the compassionate sovereign of every people, in every nation and kingdom of the world, that our principles are the principles of the virtuous and free; that our sufferings are the sufferings of unprotected loyalty, and persecuted fidelity; that our cause is the cause of legal and constitutional government,

throughout the world; that, opposed by principles of republicanism, and convinced, from recent observation, that brutal violence, merciless severity, relentless cruelty, and discretionary outrages are the distinguished traits and ruling principles of the present system of congressional republicanism, our aversion is unconquerable, irreconcilable.—That we are attached to monarchical government, from past and happy experience—by duty, and by choice. That, to oppose insurrections, and to listen to the requests of people so circumstanced as we are, is the common interest of all mankind in civil society. That to support our rights, is to support the rights of every subject of legal government; and that to afford us relief, is at once the duty and security of every prince and sovereign on earth. Our appeal, therefore, is just; and our claim to aid and assistance is extensive and universal. But if, reflecting on the uncertain events of war, and sinking under the gloomy prospect of public affairs, from the divisions and contests unhappily existing in the great councils of the nation, any apprehensions should have been excited in our breasts with respect to the issue of the American war, we humbly hope it cannot, even by the most illiberal, be imputed to us as an abatement of our unshaken loyalty to our most gracious sovereign, or of our unalterable predilection in favor of the British nation and government, whom may God long protect and preserve, if, in consequence thereof, we thus humbly implore that your majesty, and the parliament, would be graciously pleased, in the tenderness of our fears, and in pity to our distresses, to solicit, by your ambassadors at the courts of foreign sovereigns, the aid of such powerful and good allies, as to your majesty and parliament, in your great wisdom and discretion, may seem meet. Or if such a measure should in any manner be thought incompatible with the dignity and interest of our sovereign and the nation, we most humbly and ardently supplicate and entreat, that, by deputies or ambassadors, nominated and appointed by your majesty's suffering American loyalists, they may be permitted to solicit and obtain from other nations that interference, aid and alliance, which, by the blessing of Almighty God, may, in the last fatal and ultimate extreme, save and deliver us, his majesty's American loyalists, who, we maintain, in every one of the colonies, compose a great majority of the inhabitants, and those too the first in point of opulence and consequence, from the ruinous system of congressional independence and republican tyranny, detesting rebellion as we do, and preferring a subjection to

any power in Europe, to the mortifying debasement of a state of slavery, and a life of insult, under the tyranny of congressional usurpation.

BALTIMORE, July 30, 1782.

Yesterday a deputation of the merchants of this town, waited upon his excellency COUNT DE ROCHAMBEAU, and presented him the following address, expressing their grateful sentiments of his very polite attention to their request for protection of the trade, &c.

*To his excellency the COUNT DE ROCHAMBEAU, commander in chief of the auxillary troops of his most Christian majesty, in the United States.*

We, the merchants of the town of Baltimore, impressed with a grateful sense of the important services rendered by your excellency, and the gallant forces under your command, to the United States, and more particularly to the state of Maryland, beg leave to wait upon your excellency, and return you our most sincere thanks, in this public manner, for the distinguished aid and protection, which you have, from time to time, so willingly afforded to the commercial interests of this state, and to inform your excellency, that we are happy in the opportunity of paying you this tribute, so justly due to distinguished merit.

And, permit us, sir, on this occasion, to observe, that when the distresses of this country rendered an application to the French nation for assistance necessary, the wisdom of your sovereign pointed out your excellency as the grand instrument to assist in our salvation; and, with gratitude, we remark, that the objects of your appointment have been fully answered, and the events that have taken place, since your happy arrival in America, and in which you acted so distinguished a part fully evince the propriety of your sovereign's choice, and the magnanimity of his intentions towards us—for we have seen a British army, numerous and well appointed, become prisoners of war to the united exertions of the combined armies of France and America—an event that was considerably accelerated by the great experience and military talents of your excellency, and the valor of the officers and soldiers under your command, and which, we trust, will tend eventually to the establishment of the rights and liberties of this country, the purposes for which you have so generously drawn your sword.

And we beg leave also, amidst the general joy diffused by the birth of a Dauphin of France, to congratulate your excellency on that auspicious

event; and it is our fervent wish and prayers, that he may long live to tread the footsteps of his illustrious father, in being the friend of the distressed, and the advocate for the liberties of mankind.

In hopes that your excellency will enjoy health and happiness, while you reside among us, and on return to your native country, may you be rewarded by your sovereign, in proportion to your merits and services—we remain, with sentiments of gratitude and esteem, on behalf of the merchants of Baltimore, your excellency's most obedient servants,

SAMUEL PURVIANCE,  
RICHARD CURSON,  
SAMUEL SMITH,  
MARK PRINGLE,  
WILLIAM PATTERSON.

BALTIMORE, July 29, 1782.

To which his excellency was pleased to return the following answer:

*To the merchants of the town of Baltimore.*

GENTLEMEN—The intentions of the king, my master, towards his faithful allies, being that his auxiliary troops should not only protect the liberties of the United States, but watch over their commercial interests, as often and as much as it would be in their power, I have felt a peculiar pleasure to have been able to render some services to your state: The noblest reward for me is, without doubt, the approbation of such a respectable body of citizens.

The praises which you are pleased to bestow on my conduct, and that of the officers and soldiers under my command, are due, in a great measure, to his excellency general Washington, and his army, to whose exertions we have had the honor to co-operate, in the reduction of the British army at York-Town.

My sovereign will certainly be impressed with a grateful sense of the general joy which has been diffused among the people of all ranks in the United States, upon the birth of an heir to his kingdom. I shall not fail to make him acquainted with your patriotic and generous wishes.

I embrace with pleasure, gentlemen, this occasion, to render you my sincere thanks for the readiness with which you have taken in your houses our staff-officers and others, whose duty and station renders the convenience of a house absolutely necessary to them.

I flatter myself that they will maintain, with you, that good understanding, and harmony of sentiments, which we have been happy enough to experience, till now, from your fellow-citizens in the different states. LE CTE DE ROCHAMBEAU.

ANNAPOIS, August 15, 1782.

On Saturday last arrived in this city, on a visit to our governor, his excellency Count Rochambeau, commander in chief of the auxiliary army in the United States, accompanied by the Count Mille, and several other French officers of distinction, and on Monday morning set out on his return to Baltimore.

*To his excellency COUNT ROCHAMBEAU, commander in chief of the auxiliary army in the United States.*  
The address of the governor and council of the state of Maryland.

ANNAPOIS, August 11, 1782.

SIR—It is with singular pleasure, that the executive of Maryland embrace the opportunity afforded by your arrival in this city, of offering your excellency every mark of esteem and respect.

Accept, sir, our warmest thanks for the distinguished part you sustained in the reduction of York; to the wisdom of your counsels, the vigour of your conduct, the bravery of the troops under your command, and to the judicious exertions of the Count de Grasse, the success obtained by the allied army is, in a great degree, to be attributed.

We are happy to assure your excellency, that the people of this state, deeply interested in every event which can promote the felicity of your illustrious monarch, or his kingdom, received, with the most lively demonstrations of joy, the account of the birth of a Dauphin: That the young prince may emulate the virtues, and inherit the dominions of his royal father, and that the union, founded on the most generous equality, and cemented by the blood of both nations, may endure forever, is our fervent wish; the incidents of war have only more strongly united our affections, and we doubt not, that the ancient spirit of France, with her numerous resources, will soon humble the pride of our common enemy.

The ready protection afforded by your excellency to the commerce of Maryland, demands our grateful acknowledgments; the decorum and exemplary discipline observed by your troops, on their march through the state, have given entire satisfaction to our citizens; our duty and inclination will prompt us to do every thing in our power for their com-

venience; and we request your excellency to communicate to the generals and other officers of your army, the high sense we entertain of their merit, and the affection and regard we have for their persons and characters.

In behalf of the executive,  
THOMAS S. LEE.

To his excellency the governor, and the honorable council of the state of Maryland.

ANNAPOLIS, August 11, 1782.

I am very sensible of the marks of friendship and affection that I receive from his excellency the governor, and the honorable council of the state of Maryland.

If we have been happy enough to contribute towards the success of their arms, under our commander in chief, his excellency general Washington, we receive the most flattering marks of approbation, by the very cordial reception the French army meet with from all the inhabitants of this state.

The great joy and interests they have been pleased to show, on account of the birth of the Dauphin, will, undoubtedly, be very agreeable to the king my master; he will be equally flattered at the warmth with which the state of Maryland support their alliance, and wish it to be lasting.

The strict discipline of the troops, is the least mark of gratitude that we could give to a state from which we receive so many proofs of attachment and friendship.

I have the honor to be, your obedient and most humble servant,

LE COMPTE DE ROCHAMBEAU.

#### EXTRACTS FROM AN ORATION

Delivered before his excellency the governor of South Carolina, and a number of other gentlemen, on Monday, the fourth of July, 1785, being the celebration of American independence—by the late Dr. Ladd.

"Tell ye your children of it, and let your children tell their children, and their children another generation."

A prophet divinely inspired, and deeply impressed, with the importance of an event which had just taken place, breaks into this exclamation—an exclamation happily adapted to the present occasion; tending to perpetuate the remembrance of an event which is written upon the heart of every true American—every friend to his country.

When we consider this as the natal anniversary of our infant empire, we shall ever be led to call

into grateful recollection the fathers of our independence: those to whom (under God) we are indebted for our political existence and salvation. A short eulogium upon them, their merits, and their honors, will be the subject of the present discourse; for what more happy subject can be chosen on this day, than the great authors of our liberty? they! who "dugged it out with their swords!"—who, in the grim face of death, amidst perils innumerable, gave the purchase of their blood—who built it upon their tombs, and whose spirits, bending from the sky, point with pleasure to its foundation. But where am I? Fairy scenes open around me, and I seem to press the ground of enchantment. Behold yon vast structure, which towers to the very heavens! Is it not cemented with blood, and built upon the slaughtered carcass of many a gallant soldier? on its broad front, AMERICAN INDEPENDENCE shines conspicuous, in characters of crimson!—surrounding nature appears animated! the very tombs accost the traveller, and seemingly repeat—

"How beautiful is death when earn'd by virtue!  
Who would not sleep with those? what pity is it  
That we can die but once to save our country!"

Add. Copy.

The eventful history of our great revolution, is pregnant with many a source of sublime astonishment! Succeeding ages shall turn the historic page, and catch inspiration from the era of 1776; they shall bow to the rising glory of America; and Rome, once mistress of the world, shall fade on their remembrance.

The commencement of our struggles, their progress, and their periods, will furnish a useful lesson to posterity—they will teach them that men—desperate for freedom—united in virtue—and assisted by the God of armies, can never be subdued. The youthful warrior—the rising politician, will tremble at the retrospect, and turn pale at the amazing story. America—the infant America, all defenceless as she is, is invaded by a most powerful nation; her plains covered by disciplined armies, her harbors crowded with hostile fleets. Destitute of arms; destitute of ammunition; with no discipline but their virtue, and no general but THEIR GOD, behold our brave countrymen arising to resistance—see the first encroachments of hostility withstood at Lexington; and O Britain! write that page of thy history in crimson, and margin it with black, for thy troops fled!—routed with stones, with clubs, and every ignominious weapon—they fled from our women; they were defeated by our children.



At this very time, a member of the British parliament could assert in open day, that a single regiment of disciplined troops would march thro' America, and crush the rebels to subjection. The experiment was tried; it was reiterated, and the success was every way worthy of the rash attempt. Such has the inconsistency been of theory and practice, relative to American subjugation.

But were freemen—were Americans to be intimidated by the military parade of hostile regiments? Answer, ye Britons! for by a *bloody experience*, have ye been taught the reverse; by a *bloody experience* were ye taught never to oppose men desperate for their country; and by that *bloody experience* will your children, and your children's children acquire instruction. They will learn wisdom from the history of defenceless Americans, who when threatened with the loss of their liberties, (liberties! which were coeval with their existence, and dearer than their lives) arose in resistance, and were nerved by desperation! what was the consequence? the invaders were repulsed, their armies captured, their strong works demolished, and their fleets driven back. Behold the terrible flag, that glory of Great Britain, drooping all tarnished from the mast, bewails its sullied honors.

This, my countrymen, by assistance superhuman, have we at length accomplished—I say superhuman assistance, for one of us has "*chased a thousand, and ten put ten thousand to flight. The Lord of hosts was on our side, the God of the armies of Israel,*" and at every blow we were ready to exclaim with glorious exultation, "*The sword of the lord and of Washington.*"

Yet how did even America despair, when the protecting hand of her GREAT LEADER was one moment withheld! Witness our veteran army retreating through the Jerseys; an almost total withering to our hopes, while America trembled with expectation—trembled! tho' shielded and protected by the KING OF KINGS, and her beloved WASHINGTON.

But brilliant, rapid, and successive have our conquests been: while the gloomy "*times that try men's souls,*" were few, and of short duration. America, born to be independent, gathered strength amidst surrounding difficulties. She rose, like Anteus, vigorous from every fall. Her resentment was accompanied by the winged bolt of destruction. It flashed, like lightning from heaven, against her enemies, and blasted as it smote. Opposition like

this, what mortals could withstand? for it is written in the volumes of eternity, that even Britain, that hardy, that gallant nation, was unequal to the conflict.

Yet, while we justly admire the valor and success of our veteran armies, let us shed one tear to the memory of those "unfortunately brave," who were martyrs in common cause; and, while we celebrate their actions—while we glory in their virtues—let us deplore the catastrophe, and lament their misfortunes.

What catastrophe? what misfortunes? Pardon me, my respected auditors. Let your indulgent bosoms plead in my favor; and remember, that the timid perturbation of a young orator, before so august an assembly, must lead him into frequent improprieties. I said we should lament their misfortunes. I beg leave to correct that too hasty expression; for surely it is no *misfortune* to the brave man, that he has died for his country. Quite the reverse: it is the highest *acme* of military ambition, and plays around the soldier's character with a sun-beam of never ending glory.

"The gallant man though slain in fight he be,  
Yet leaves his country safe, his nation free;  
Entails a debt on all the grateful state,  
His own brave friends shall glory in his fate,  
His wife live honor'd, all his race succeed;  
And late posterity enjoy the deed."

*Pope's Homer.*

The fall of the brave man is by no means the death of the vulgar: it is the birth-day of his glory, and opens to a blessed immortality. There the hoary warrior who has learned the rudiments of his profession under Washington or Wolfe, Montcalm or the great Montgomery, shall then commence his soldiership; then, enlisted in the armies of MICHAEL, that archangelic chieftain, he shall fight the battles of the Lord: nor shall his earthly fame be unremembered, but, when the historic leaf shall shiver in the blaze—when all human work, the great *Iliad* itself, receive their finish from the fire, the soldier's memory *must* survive, for it is registered in heaven.

Yes! ye shall live in fame, ye shades of Warren, of Mercer, of Laurens, and the brave Montgomery! and when in remotest ages, posterity shall call forth every distinguishing characteristic of human excellence, the genius of your country shall bend his drooping head, and one tear, one grateful tear be shed to your remembrance. Then the young warrior, emulous of your fates and your fame, shall

in speculation. It contradicts our habits and opinions in every other transaction of life. Do we feel his burning soul—and while he unsheaths the patriotic blade, he shall exclaim with transport—

*"How beautiful is death when earn'd by virtue."*

But peace to your manes, ye dear departed brethren! ye have trodden the path of honor before us; and obtained the crown of glory. Brethren, it is all your own, for bravely did ye obtain it. May the green sod lie light on your breasts, and sweet your slumbers be in the dark house appointed for all living.

So sleep the brave who sink to rest,  
With all their country's wishes blest;  
When spring, with dewy fingers cold,  
Returns to deck their hallow'd mould,  
She there shall dress a sweeter sod  
Than fancy's feet have ever trod.  
By fairy hands their knell is rung;  
By forms unseen their dirge is sung;  
There honor comes, a pilgrim grey,  
To bless the turf that wraps their clay,  
And freedom shall a while repair,  
To dwell a weeping hermit there."—*Collins.*

But we turn to take a view of those worthy authors of our independence, who have survived the contest.—A *living patriot!* Where is the bosom that does not vibrate with pleasure at the sound? The *dead* can only receive the tribute of remembrance; and long shall they possess it: but the *living* are entitled to our warmest thanks, our united benedictions.—Here words must fail; for who can duly praise the living patriots of America? Alas! barely to recount their names, their merits, and their honors, would exhaust the powers of language; to do them justice is above all Ciceronian rhetoric, and calls for the eloquence of angels.

You, and you, with a very respectable part of my audience, have fronted danger in the bloody field.—With a truly masonic fortitude have we assisted in the structure of our independence; and ye will tell the story to your children, and your children shall tell their children, and their children another generation. Thus shall your honors succeed with undiminished lustre to posterity: and future writers shall praise the brave man, and crown their eulogium with—"his father was an American."

Allow me, my auditors, one claim on your attention to the beloved name of Washington; for how, upon a celebration like this, can the name of Washington be distant? he, whose unbiassed virtue, firm patriotism, unequalled abilities, and steady perseverance, are written upon the hearts of his brethren.—Though retired from the theatre of action,

in the full splendor of meridian glories, he can never be lost to his country—we see him in our liberties, and shall forever see him, while that OPUS MAGNUM, the independence of America, remains in existence.

Where are those who admire the unexampled patriot, and "in whose ears the name of a soldier sounds like the name of a friend?" O that upon this day ye would join your friendly voices with mine, to eternize the name of Washington!—The august veteran of Prussia has himself led the way, and left it upon everlasting record, that "*Frederic was the oldest general in Europe, when Washington was the greatest general upon earth.*"

But I proceed to pay that attention due to the memory of another distinguished character: For to what is America more indebted than to the gallant exertions of her beloved Greene? in whose amiable character the great soldier and the good citizen are so conspicuously blended—Long shall this country in particular retain his memory—long as the palmetto, that emblematic tree, shall flourish in Carolina.

"To thee, O Greene, each muse her tribute pays,  
Great chieftain! crown'd with never-fading bays;  
Thy worth thy country, ever grateful, owns,  
Her first of warriors and her best of sons."

But see the long list! upon which the names of Gates, Lincoln, the brave Stark, and the gallant Wayne are conspicuously lettered! Men whose names shall descend to posterity with co-eternal honor; among them shall the brave Sullivan be often mentioned; and the name of St. Clair, though sullied by malign censure, will shine untarnished there; and there shall the venerable name of Putnam be found, that hoary chieftain, who,

"The fame of battle spread,  
When fourscore years had blanch'd his laurel'd head."

But there is no end of this! the list of deserving characters is swelling to my view, and I shall grow hoarse in repeating it; I will therefore quit the attempt, and hasten to conclude:

"For should I strive to mention ev'ry name,  
With which my country swells the list of fame,  
Amidst the labor of the arduous tale,  
My time, my periods, and my voice would fail."

Previous to my quitting this subject, permit me, gentlemen of South Carolina, to observe, that the very man who fills the seat of your government for the present year, must long remain high in his country's honors—honors, which he has most bravely

ly acquired.—The gallant defence of Fort Moultrie will decorate the page of many a future history, and give at once immortal fame to the hero and historian.

And now, my most respected auditors, having in some measure paid our debt of acknowledgment to the visible authors of our independence, let us lay our hands upon our hearts in humble adoration of that MONARCH, who (in the place of George the Third) was this day chosen to reign over us: let us venerate the great generalissimo of our armies, from whom all triumphs flow: and be it our glory, that not George the Third, but JEHOVAH the first, and the last, is king of America—He who dwelleth in the clouds, and whose palace is the heaven of heavens:—For, independent as we are with respect to the political systems of this world, we are still a province of the great kingdom, and fellow subject with the inhabitants of heaven.

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*Address to the people of the United States.—By Benjamin Rush, M. D. 1787—*

There is nothing more common, than to confound the terms of *American revolution* with those of the *late American war*. The American war is over: but this is far from being the case with the American revolution. On the contrary, nothing but the first act of the great drama is closed. It remains yet to establish and perfect our new forms of government; and to prepare the principles, morals, and manners of our citizens, for these forms of government, after they are established and brought to perfection.

The confederation, together with most of our state constitutions, were formed under very unfavorable circumstances. We had just emerged from a corrupted monarchy. Although we understood perfectly the principles of liberty, yet most of us were ignorant of the forms and combinations of power in republics. Add to this, the British army was in the heart of our country, spreading desolation wherever it went: our resentments, of course, were awakened. We detested the British name, and unfortunately refused to copy some things in the administration of justice and power, in the British government, which have made it the admiration and envy of the world. In our opposition to monarchy, we forgot that the temple of tyranny has two doors. We bolted one of them by proper restraints; but we left the other open, by neglecting to guard against the effects of our own ignorance and licentiousness.

Most of the present difficulties of this country arise from the weakness and other defects of our governments.

My business at present shall be only to suggest the defects of the confederation. These consist—1st. In the deficiency of coercive power. 2d. In a defect of exclusive power to issue paper money, and regulate commerce. 3d. In vesting the sovereign power of the United States in a single legislature: and, 4th. In the too frequent rotation of its members.

A convention is to sit soon for the purpose of devising means of obviating part of the two first defects that have been mentioned. But I wish they may add to their recommendations to each state, to surrender up to congress their power of emitting money. In this way, a uniform currency will be produced, that will facilitate trade, and help to bind the states together. Nor will the states be deprived of large sums of money by this mean, when sudden emergencies require it; for they may always borrow them, as they did during the war, out of the treasury of congress. Even a loan office may be better instituted in this way, in each state, than in any other.

The two last defects that have been mentioned, are not of less magnitude than the first. Indeed, the single legislature of congress will become more dangerous, from an increase of power, than ever. To remedy this, let the supreme federal power be divided, like the legislatures of most of our states, into two distinct, independent branches. Let one of them be styled the council of the states and the other the assembly of the states. Let the first consist of a single delegate—and the second, of two, three, or four delegates, chosen annually by each state. Let the president be chosen annually by the joint ballot of both houses; and let him possess certain powers, in conjunction with a privy council, especially the power of appointing most of the officers of the United States. The officers will not only be better, when appointed this way, but one of the principal causes of faction will be thereby removed from congress. I apprehend this division of the power of congress will become more necessary, as soon as they are invested with more ample powers of levying and expending public money.

The custom of turning men out of power or office, as soon as they are qualified for it, has been found to be as absurd in practice, as it is virtuous

dismiss a general—a physician—or even a domestic, as soon as they have acquired knowledge sufficient to be useful to us, for the sake of increasing the number of able generals—skilful physicians—and faithful servants? We do not. Government is a science, and can never be perfect in America, until we encourage men to devote not only three years, but their whole lives to it. I believe the principal reason why so many men of abilities object to serving in congress, is owing to their not thinking it worth while to spend three years in acquiring a profession, which their country immediately afterwards forbids them to follow.

There are two errors or prejudices on the subject of government in America, which lead to the most dangerous consequences.

It is often said, "that the sovereign and all other power is seated in the people." This idea is unhappily expressed. It should be—"all power is derived from the people," they possess it only on the days of their elections. After this, it is the property of their rulers; nor can they exercise or resume it, unless it be abused. It is of importance to circulate this idea, as it leads to order and good government.

The people of America have mistaken the meaning of the word sovereignty: hence each state pretends to be sovereign. In Europe, it is applied only to those states which possess the power of making war and peace—of forming treaties, and the like. As this power belongs only to congress, they are the only sovereign power in the United States.

We commit a similar mistake in our ideas of the word independent. No individual state, as such, has any claim to independence. She is independent only in a union with her sister states in congress.

To conform the principles, morals and manners of our citizens, to our republican forms of government, it is absolutely necessary, that knowledge of every kind should be disseminated through every part of the United States.

For this purpose, let congress, instead of laying out half a million of dollars, in building a federal town, appropriate only a fourth of that sum, in founding a federal university. In this university, let every thing connected with government, such as history—the law of nature and nations—the civil law—the municipal laws of our country—and the

principles of commerce—be taught by competent professors. Let masters be employed, likewise, to teach gunnery—fortification—and every thing connected with defensive and offensive war. Above all, let a professor of, what is called in the European universities, economy, be established in this federal seminary. His business should be to unfold the principles and practice of agriculture and manufactures of all kind, and to enable him to make his lectures more extensively useful, congress should support a travelling correspondent for him, who should visit all the nations of Europe, and transmit to him, from time to time, all the discoveries and improvements that are made in agriculture and manufactures. To this seminary, young men should be encouraged to repair, after completing their academical studies in the colleges of their respective states. The honours and offices of the United States should, after a while, be confined to persons who had imbibed federal and republican ideas in this university.

For the purpose of diffusing knowledge, as well as extending the living principle of government to every part of the United States—every state—city—county—village—and township in the union, should be tied together by means of the post-office. This is the true non-electric wire of government. It is the only means of conveying heat and light to every individual in the federal commonwealth. "Sweden lost her liberties," says the abbe Raynal, "because her citizens were so scattered, that they had no means of acting in concert with each other." It should be a constant injunction to the post-masters, to convey newspapers free of all charge for postage. They are not only the vehicles of knowledge and intelligence, but the centinels of the liberties of our country.

The conduct of some of those strangers, who have visited our country, since the peace, and who fill the British papers with accounts of our distresses, shews as great a want of good sense, as i does of good nature. They see nothing but the foundations and walls of the temple of liberty; and yet they undertake to judge of the whole fabric.

Our own citizens act a still more absurd part, when they cry out, after the experience of three or four years, that we are not proper materials for republican government. Remember, we assumed these forms of government in a hurry, before we were prepared for them. Let every man exert himself in promoting virtue and knowledge in our country, and we shall soon become good republicans. Look at the steps by which governments

have been changed, or rendered stable in Europe. Read the history of Great Britain. Her boasted government has risen out of wars, and rebellions, that lasted above six hundred years. The United States are travelling peaceably into order and good government. They know no strife—but what arises from the collision of opinions; and, in three years, they have advanced farther in the road to stability and happiness, than most of the nations in Europe have done, in as many centuries.

There is but one path that can lead the United States to destruction; and that is, their extent of territory. It was probably to effect this, that Great Britain ceded to us so much waste land. But even this path may be avoided. Let but one new state be exposed to sale at a time; and let the land office be shut up, till every part of this new state be settled.

I am extremely sorry to find a passion for retirement so universal among the patriots and heroes of the war. They resemble skilful mariners who, after exerting themselves to preserve a ship from sinking in a storm, in the middle of the ocean, drop asleep, as soon as the waves subside, and leave the care of their lives and property, during the remainder of the voyage, to sailors, without knowledge or experience. Every man in a republic is public property. His time and talents—his youth—his manhood—his old age—nay more, his life, his all, belong to his country.

Patriots of 1774, 1775, 1776—heroes of 1778, 1779, 1780! come forward! your country demands your services!—Philosophers and friends to mankind, come forward! your country demands your studies and speculations! Lovers of peace and order, who declined taking part in the late war, come forward! your country forgives your timidity and demands your influence and advice! Hear her proclaiming, in sighs and groans, in her governments, in her finances, in her trade, in her manufactures, in her morals, and in her manners, "THE REVOLUTION IS NOT OVER!"

*Part of judge Pennington's charge to the grand jurors of Georgetown, Cheraws, and Camden districts, in the state of South Carolina, 1787.*

Gentlemen of the grand jury—Is this fatal passion for sudden riches, so generally prevalent among us, to extinguish every sentiment of political and moral duty? Is it to be expected, that one assembly after another will be on the side of the debtor? No, gentlemen: the period is not far distant, when the laws of the state must be voluntarily obeyed,

or executed by force. No society ever long endured the miseries of anarchy, disorder, and licentiousness. The most vile despotism will be embraced in preference to it. The nations, from which we derive our origin, afford innumerable examples of this. I will, however, mention but one. When the parliament of England had dethroned and beheaded that faithless tyrant, Charles the first—subdued all their enemies at home and abroad—and changed their monarchy into a republic—one would have supposed, that an assemblage of as great talents as ever adorned human nature, which so highly distinguished the patriots of that time, could not fail of forming a wise and just government, and of transmitting it to their posterity. But the event shewed that the disorderly temper of the people, occasioned by the civil war, would not bear the strong curb of legal authority. Expedient after expedient was tried: and government assumed many different shapes to humour their passions and prejudices, and lead them to a willing obedience: but all to no purpose. The public disorders daily increased. Every little club of politicians were for making laws for the whole nation. The fair form of equal and legal liberty became defaced by a thousand fanciful and impracticable whimsies, until the general distress became insupportable. What followed? The very people, who, a few years before, had dazzled the world with the splendor of their actions, invited back, and enthroned the son of that king, whom they had formerly put to death; gave him *carte blanche* to do as he pleased; and seemed to have forgotten, that they had ever lost a drop of blood, or spent a shilling, in defence of their liberty.

Gentlemen, let us not lose sight of this awful precedent. To acquire freedom, is nothing, in comparison to a wise and profitable use of it. Nothing can be more certain, than that Great Britain would eagerly seize any favorable opportunity to compass our destruction. She would, to-morrow, pour her fleets and armies into this country, particularly the southern states, if the great powers of Europe could be so allied and connected, as to secure her from a hostile confederacy. The history of those nations every where shews us, what trivial causes occasion the most important changes in their political systems. Surely, then, it is wise to be on our guard, and in the first place to secure a free and just, but, at the same time, a strong government at home. Without this, the citizens are insecure in their persons and estates: that insecurity produces murmuring and discontent: and that discontent will ever produce a dis-

position favorable for trying new changes. In such a state, to be attacked by a formidable enemy, without soldiers or military stores, and without authority to compel even our own citizens to obey the laws, we must fall a prey to any foreign power, who may think it worth the cost to subjugate us.

I have heard, gentlemen of the grand jury, great complaints against the illiberal and monopolizing spirit of the British government, on the subject of commerce with America—her numerous duties on American produce—and her refusal to enter into treaties for mutual benefits in trade. It must surely be highly ridiculous to abuse one nation for profiting by the follies of another. Do we expect that Great Britain, as a trading nation, will not exert every nerve to hold fast the commercial advantages, which our avidity for her negroes and manufactures hath given her? Is it not the steady policy of every nation in Europe, to promote and extend their own commerce by every possible means, let it be at the expense of whomsoever it will? Yes, gentlemen: and let us act with such caution and punctuality, as to make it her interest to solicit, and we shall soon find her courting, with *douceurs*, those commercial compacts, which she now so contemptuously declines. At the close of the war, indeed, she stood trembling with apprehension, lest our two allies, France and Holland, should monopolize our trade. A treaty, pressed at that moment, and properly urged—the *sine qua non* of all future amity and intercourse, would, in all probability, have produced an inlet of American built vessels into her islands, and an exemption from many other injurious restraints. But the favorable moment slipped through our hands unimproved, and (I fear) never to return. The only possible way left us to recover it, is, to live within our income; to secure a balance of trade in our favor; and to urge the federal government to such general regulations, as shall secure us from the infamous vassalage into which we are hurrying. If three or four thousand pounds sterling worth of merchandise, (annually) which sum will include a great many luxuries, be sufficient for all our rational wants, when our exports greatly exceed that sum, and are annually increasing—is it not obvious to the meanest capacity, that a large balance must yearly return to us in gold and silver? which, in spite of all the paper-money casuists in the world, is the only wholesome political blood that can give union, health, and vigor to the body politic.

If we do not curtail our expenses, and export

more than we import, a general bankruptcy must be the inevitable consequence.

Many people call for large emissions of paper money. For what?—To shift the burdens, which they have incurred by their avarice and folly, from themselves to their better, and more deserving, creditors, whose property they choose to hold fast. Can any thing be more fraudulent or astonishing? No, gentlemen: paper medium and sheriffs' sale bills, are only temporary expedients, a repetition of which, in a very short time, would be insupportable. They were intended, at a singular crisis, to open a retreat even to the foolish and extravagant, as well as the unfortunate debtor, by affording an opportunity to retrieve, but not to give impunity to the one, or a release to the other. The honest and industrious man will seize the opportunity to lay up against the day of account and payment, while nothing will correct or reclaim the indolent and fraudulent knave. But, as I said, the period is at hand, when the punctual payment of taxes and debts must take place voluntarily; or the uninterrupted recovery of them, in the courts of justice, be enforced. Palliatives are exhausted. We must either relinquish government, resign our independence, and embrace a military master—or execute our laws by force of arms, if no alternative is left us. But, before we are compelled to resort to this disgraceful and painful *ultimatum*, let us all exert ourselves, and support each other, as free citizens, acknowledging no master but the laws, which we ourselves have made for our common good—obeying those laws, and enforcing them, when and where we can. Let no man say, this or that is not my business. Whatever materially affects the honor and interest of the state, is every man's business; because he must, in common with all others, share the good or evil brought upon his country. The man who refuses or evades the payment of taxes imposed by his immediate representative, or excites or co-operates in the resistance of lawful authority, is the parricide of his country, as well as the voluntary assassin of his own interest; since it is impossible he can be tranquil or happy, or enjoy his property in peace and security, while his country is convulsed and distracted.

As grand jurors, gentlemen, the laws have selected you, as their principal auxiliary and most responsible guardians. On you, then, it is peculiarly incumbent to interest yourselves in the conduct of all around you. You have the greatest property to lose: and your example, therefore, must be of the greatest weight. Investigate the

police of your district: and, wherever any person has accepted a public trust, and neglects or abuses it, drag him forth, let his office, fortune, or character be what it may. If keepers of ferries, highways, or bridges, do not discharge their duty—if the officers of justice violate the trust reposed in them—you are bound, in duty to your country, to yourselves and to your children, as well as by the solemn oath you have just taken, to name them in your presentments, together with the names of such witnesses as can prove the charge. Even in your private capacity, as citizens, to inform against and prosecute all such offenders, is highly meritorious. The malevolence which may, for a time, be directed against an honest, spirited, and patriotic citizen, is like the harmless hissing of serpents, that cannot bite. He will soon triumph over their impotent clamour, and obtain the esteem and support of all good men.

I have been actuated in the plain and pointed observations you have just heard, by an ardent zeal for the honor and prosperity of my country. This is not a time to lessen or extenuate the terror, which the present dangerous crisis must inspire. To know our danger, to face it like men, and to triumph over it by constancy and courage, is a character this country once justly acquired. Is it to be sacrificed in the hour of peace, with every incentive to preserve it? I repeat again, that, without a change of conduct, and an union of all the good men in the state, we are an undone people; the government will soon tumble about our heads, and become a prey to the first bold ruffian, who shall associate a few desperate adventurers, and seize upon it.

I confess the subject very deeply affects me. I shall, therefore pursue it no farther. I do not, however, despair of the republic. There are honest and independent men among us, to retrieve every thing, whatever may be opposed by the vicious and unprincipled, if they will but step forth, and act with union and vigor. If they will not, the miseries resulting to their country from the utter destruction of all public and private credit, a bankrupt treasury, and the triumph of all manner of fraud, rapine, and licentiousness, together with the scorn and derision of our enemies, if we should have any left, be on their heads!

Boston, December 3, 1778.

*A declaration, addressed, in the name of the king of France, to all the ancient French in North America. (Translated from the French.)*

The undersigned, authorised by his majesty, and

thence clothed with the noblest of titles, with that which effaces all others; charged, in the name of the father of his country, and the beneficent protector of his subjects, to offer a support to those who were born to enjoy the blessings of his government—

*To all his countrymen in North America.*

You were born French; you never could cease to be French. The late war, which was not declared but by the captivity of nearly all our seamen, and the principal advantages of which our common enemies entirely owed to the courage, the talents, and the numbers of the brave Americans, who are now fighting against them, has wrested from you that which is most dear to all men, even the name of your country. To compel you to bear the arms of parricides against it, must be the completion of misfortunes: With this you are now threatened: A new war may justly make you dread being obliged to submit to this most intolerable law of slavery. It has commenced like the last, by depredations upon the most valuable part of our trade. Too long already have a great number of unfortunate Frenchmen been confined in American prisons. You hear their groans. The present war was declared by a message in March last from the king of Great Britain to both houses of parliament; a most authentic act of the British sovereignty, announcing to all orders of the state, that to trade (with America) though without excluding others from the same right, was to offend; that frankly to avow such intention, was to defy this sovereignty; that she would revenge it, and deferred this only to a more advantageous opportunity, when she might do it with more appearance of legality than in the last war: For she declared that she had the right, the will, and the ability to revenge; and accordingly she demanded of parliament the supplies.

The calamities of war thus proclaimed, have been restrained and retarded as much as was possible, by a monarch whose pacific and disinterested views now reclaim the marks of your former attachment, only for your own happiness. Constrained to repel force by force, and multiplied hostilities by reprisals which he has at last authorised, if necessity should carry his arms, or those of his allies, into a country always dear to him, you have not to fear either burnings or devastations: And if gratitude, if the view of a flag always revered by those who have followed it, should recall to the banners of France, or of the United States, the Indians who loved us, and have been loaded with presents by him, whom they also call their *Fathers*

never, no never shall they employ against you their too cruel methods of war. These they must renounce, or they will cease to be our friends.

It is not by menaces that we shall endeavor to avoid combating with our countrymen; nor shall we weaken this declaration by invectives against a great and a brave nation, which we know how, to respect, and hope to vanquish.

As a French gentleman, I need not mention to those among you who were born such as well as myself, that there is but one august house in the universe, under which the French can be happy, and serve with pleasure; since its head, and those who are most nearly allied to him by blood, have been at all times, thro' a long line of monarchs, and are at this day more than ever delighted with bearing that very title which Henry IV. regarded as the first of his own. I shall not excite your regrets for those qualifications, those marks of distinction, those decorations, which, in our manner of thinking, are precious treasures, but from which, by our common misfortunes, the American French, who have known so well how to deserve them, are now precluded. These, I am bold to hope, and to promise, their zeal will very soon procure to be diffused among them. They will merit them when they are to become the friends of our allies.

I shall not ask the military companions of the Marquis of Levi; those who shared his glory, who admired his talents and genius for war, who loved his cordiality and frankness, the principal characteristics of our nobility, whether there be other names in other nations among which they would be better pleased to place their own.

Can the Canadians, who saw the brave Montcalm fall in their defence, can they become the enemies of his nephews? Can they fight against their former leaders, and arm themselves against their kinsmen? At the bare mention of their names, the weapons would fall out of their hands.

I shall not observe to the ministers of the altars, that their evangelic efforts will require the special protection of Providence, to prevent faith being diminished by example, by worldly interest, and by sovereigns whom force has imposed upon them, and whose political indulgence will be lessened proportionably as those sovereigns shall have less to fear. I shall not observe, that it is necessary for religion that those who preach it should form a body in the state; and that in Canada no other

body would be more considered, or have more power to do good than that of the priests, taking a part in the government; since their respectable conduct has merited the confidence of the people.

I shall not represent to that people, nor to all my countrymen in general, that a vast monarchy, having the same religion, the same manners, the same language, where they find kinsmen, old friends and brethren, must be an inexhaustable source of commerce and wealth, more easily acquired, and better secured, by their union, with powerful neighbors; than with strangers of another hemisphere, among whom every thing is different, and who, jealous and despotie sovereigns, would sooner or later treat them as a conquered people, and doubtless much worse than their late countrymen, the Americans, who made them victorious. I shall not urge to a whole people, that to join with the United States, is to secure their own happiness; since a whole people, when they acquire the right of thinking and acting for themselves, must know their own interest: But I will declare, and I now formally declare in the name of his majesty, who has authorised and commanded me to do it, that all his former subjects in North America, who shall no more acknowledge the supremacy of Great Britain, may depend upon his protection and support.

Done on board his majesty's ship the *Langue-doc*, in the harbor of Boston, the 28th day of October, in the year 1778.

ESTAING.

FIGEOL DE GRANDCLOS, *secretary, appointed by the king to the squadron commanded by the Count D'ESTAING.*

*Printed on board the Languedoc, by F. P. DEMAUGE, Printer to the king and the Squadron.*

TO THE INHABITANTS OF THE UNITED STATES OF AMERICA.

*Friends and countrymen*—The present situation of public affairs demands your most serious attention, and particularly the great and increasing depreciation of your currency requires the immediate, strenuous, and united efforts of all true friends to their country, for preventing an extension of the mischiefs that have already flowed from that source.

America, without arms, ammunition, discipline, revenue, government, or ally, almost totally stript of commerce, and in the weakness of youth, as it were, with a "staff and a sling," only dared, "in the name of the Lord of Hosts," to engage a gigantic



adversary, prepared at all points, boasting of his strength, and of whom even mighty warriors "were greatly afraid."

For defraying the expenses of this uncommon war, your representatives in congress were obliged to emit paper money; an expedient that you knew to have been before generally and successfully practised on this continent.

They were very sensible of the inconveniences with which too frequent emissions would be attended, and endeavored to avoid them. For this purpose they established loan-offices so early as in October 1776, and have, from that time to this, repeatedly and earnestly solicited you to lend them money on the faith of United States. The sums received on loan have nevertheless proved inadequate to the public exigencies. Our enemies prosecuting the war by sea and land with implacable fury and with some success, taxation at home and borrowing abroad, in the midst of difficulties and dangers, were alike impracticable. Hence the continued necessity of new emissions.

But to this cause alone we do not impute the evil before mentioned. We have too much reason to believe it has been in part owing to the artifices of men who have hastened to enrich themselves by monopolizing the necessities of life, and to the misconduct of inferior officers employed in the public service.

The variety and importance of the business entrusted to your delegates, and their constant attendance in congress, necessarily disables them from investigating disorders of this kind. Justly apprehensive of them, they, by their several resolutions of the 22d of November, and 20th of December, 1777, and of the 3d and 9th of February, 1778, recommended to the legislative and executive powers of these states a due attention to these interesting affairs. How far those recommendations have been complied with we will not undertake to determine, but we hold ourselves bound in duty to you to declare, that we are not convinced there has been as much diligence used in detecting and reforming abuses as there has been in committing or complaining of them.

With regard to monopolizers, it is our opinion, that taxes, judiciously laid on such articles as become the objects of engrossers, and those frequently collected, would operate against the pernicious tendency of such practices.

As to inferior officers employed in the public service, we anxiously desire to call your most vigilant attention to their conduct with respect to every species of misbehavior, whether proceeding from ignorance, negligence or fraud, and to the making of laws for inflicting exemplary punishments on all offenders of this kind.

We are sorry to hear that some persons are so slightly informed of their own interests, as to suppose that it is advantageous to them to sell the produce of their farms at enormous prices, when a little reflection might convince them that it is injurious to those interests and the general welfare. If they expect thereby to purchase imported goods cheaper, they will be egregiously disappointed; for the merchants, who know they cannot obtain returns in gold, silver, or bills of exchange, but that their vessels, if loaded here at all, must be loaded with produce, will raise the price of what they have to sell, in proportion to the price of what they have to buy, and consequently the landholder can purchase no more foreign goods, for the same quantity of his produce, than he could before.

The evil, however, does not stop at this point. The landholder, by acting on this mistaken calculation, is only laboring to accumulate an immense debt, by increasing the public expenses, for the payment of which his estate is engaged, and to embarrass every measure adopted for vindicating his liberty, and securing his prosperity.

As the harvests of this year, which, by the Divine Goodness, promise to be plentiful, will soon be gathered, and some new measures relating to your foreign concerns, with some arrangements relating to your domestic, are now under consideration, from which beneficial effects are expected, we entertain hopes that your affairs will acquire a much greater degree of regularity and energy than they have hitherto had.

But we should be highly criminal if we did not plainly tell you, that those hopes are not founded wholly upon our own proceedings. These must be supported by your virtue, your wisdom, and your diligence. From the advantage of those seats in the national council with which you have honored us, we have a pleasing prospect of many blessings approaching this our native land. It is your patriotism must introduce and fix them here.

In vain will it be for your delegates to form plans of economy; to strive to stop a continuation

of emissions by taxation or loan, if you do not zealously co-operate with them in promoting their designs, and use your utmost industry to prevent the waste of money in the expenditure, which your respective situations, in the several places where it is expended, may enable you to do. A discharge of this duty, a compliance with recommendations for supplying money, might enable congress to give speedy assurances to the public that no more emissions shall take place, and thereby close that source of depreciation.

Your governments being now established, and your ability to contend with your invaders ascertained, we have, on the most mature deliberation, judged it indispensably necessary to call upon you for forty-five millions of dollars, in addition to the fifteen millions required by a resolution of congress, of the 2d of January last, to be paid into the continental treasury before the 1st day of January next, in the same proportion, as to the quotas of the several states, with that for the said fifteen millions.

It appeared proper to us to fix the first day of next January for the payment of the whole; but, as it is probable that some states, if not all, will raise part of the sums by instalments, or otherwise, before that time, we recommend in the strongest manner the paying as much as can be collected as soon as possible into the continental treasury.

Though it is manifest that moderate taxation, in times of peace, will recover the credit of your currency, yet the encouragement which your enemies derive from its depreciation, and the present exigencies, demand great and speedy exertions.

We are persuaded you will use all possible care to make the promotion of the general welfare interfere as little as may be with the ease and comfort of individuals; but though the raising these sums should press heavily on some of your constituents, yet the obligations we feel to your venerable clergy, the truly helpless widows and orphans, your most gallant, generous, meritorious officers and soldiers, the public faith and the common weal, so irresistibly urge us to attempt the appreciation of your currency, that we cannot withhold obedience to those authoritative sensations.

On this subject we will only add, that, as the rules of justice are most pleasing to our infinitely good and gracious Creator, and an adherence to them most likely to obtain his favor, so they will ever be found to be the best and safest maxims of human policy.

To our constituents we submit the propriety and purity of our intentions, well knowing they will not forget, that we lay no burthens upon them, but those in which we participate with them—a happy sympathy, that pervades societies formed on the basis of equal liberty. Many cares, many labors, and may we not add, reproaches—are peculiar to us. These are the emoluments of our unsolicited stations; and with these we are content, if you approve our conduct. If you do not, we shall return to our private condition, with no other regret than that which will arise from our not having served you as acceptably and essentially as we wished and strove to do, though as cheerfully and faithfully as we could.

Think not we despair of the commonwealth, or endeavor to shrink from opposing difficulties. No. Your cause is too good, your objects too sacred, to be relinquished. We tell you truths, because you are freemen who can bear to hear them, and may profit by them; and when they reach your enemies, we fear not the consequences, because we are not ignorant of their resources or our own. Let your good sense decide upon the comparison. Let even their prejudiced understandings decide upon it, and you need not be apprehensive of the determination.

Whatever supposed advantages from plans of rapine, projects of blood, or dreams of domination, may heretofore have amused their inflamed fancies, the conduct of one monarch, the friend and protector of the rights of mankind, has turned the scale so much against them, that their visionary schemes vanish, as the unwholesome vapours of the night before the healthful influence of the sun.

An alliance has been formed between his most Christian majesty and these states, on the basis of the most perfect equality, for the direct end of maintaining effectually their liberty, sovereignty and independence, absolute and unlimited, as well in matters of government as of commerce. The conduct of our good and great ally towards us, in this instance and others, has so fully manifested his sincerity and kindness, as to excite on our part correspondent sentiments of confidence and affection.

Observing the interests of his kingdom, to which duty and inclination prompted his attention, to be connected with those of America, and the combination of both clearly to coincide with the beneficent designs of the Author of Nature, who, unquestionably, intended men to partake of certain rights and

portions of happiness; his majesty perceived the attainment of these views to be founded on the single proposition of a separation between *America* and *Great Britain*.

The resentment and confusion of your enemies, will point out to you the ideas you should entertain of the magnanimity and consummate wisdom of his most Christian majesty on this occasion.

They perceive, that selecting this grand and just idea from all those specious ones that might have confused or misled inferior judgment or virtue, and satisfied with the advantages which must result from that event alone, he has cemented the harmony between himself and these states, not only by establishing a reciprocity of benefits, but by eradicating every cause of jealousy and suspicion. They also perceive, with similar emotions, that the moderation of our ally, in not desiring an acquisition of dominion on this continent, or an exclusion of other nations from a share of its commercial advantages, so useful to them, has given no alarm to those nations, but, in fact, has interested them in the accomplishment of his generous undertaking, to dissolve the monopoly thereof by Great Britain, which has already contributed to elevate her to her present power and haughtiness, and threatened, if continued, to raise both to a height insupportable to the rest of *Europe*.

In short, their own best informed statesmen and writers confess, that your cause is exceedingly favored by courts and people in that quarter of the world, while that of your adversaries is equally reprobated; and from thence draw ominous and well-grounded conclusions, that the final event must prove unfortunate to the latter. Indeed, we have the best reason to believe that we shall soon form other alliances, and on principles honorable and beneficial to these states.

Infatuated as your enemies have been from the beginning of this contest, do you imagine they can now flatter themselves with a hope of conquering you, unless you are false to yourselves?

When unprepared, undisciplined, and unsupported, you opposed their fleets and armies in full conjoined force: then, if at any time, was conquest to be apprehended. Yet, what progress towards it have their violent and incessant efforts made? Judge from their own conduct. Having devoted you to bondage, and, after vainly wasting their blood and treasure in the dishonorable enterprise, they deigned, at length, to offer terms of accom-

modation, with respectful addresses, to that once despised body, the congress, whose humble supplications, only for peace, liberty and safety, they had contemptuously rejected, under pretence of its being an unconstitutional assembly. Nay more; desirous of seducing you into a deviation from the paths of rectitude, from which they had so far and so rashly wandered, they made most specious offers to tempt you into a violation of your faith given to your illustrious ally.—Their arts were as unavailing as their arms.—Foiled again, and stung with rage, embittered by envy, they had no alternative, but to renounce the inglorious and ruinous controversy, or to resume their former modes of prosecuting it. They chose the latter. Again the savages are stimulated to horrid massacres of women and children, and domestics to the murder of their masters. Again our brave and unhappy brethren are doomed to miserable deaths in gaols and prison-ships. To complete the sanguinary system, all the "extremities of war" are, by authority, denounced against you.

Piously endeavor to derive this consolation from their remorseless fury, that "the Father of Mercies" looks down with disapprobation on such audacious defiances of his holy laws; and be further comforted with recollecting, that the arms assumed by you, in your righteous cause, have not been sullied by any unjustifiable severities.

Your enemies, despairing however, as it seems, of the success of their united forces against our main army, have divided them, as if their design was to harass you by predatory, desultory operations. If you are assiduous in improving opportunities, *Saratoga* may not be the only spot on this continent to give a new denomination to the baffled troops of a nation, impiously priding herself in notions of her omnipotence.

Rouse yourselves, therefore, that this campaign may finish the great work you have so nobly carried on for several years past. What nation ever engaged in such a contest under such a complication of disadvantages; so soon surmounted many of them, and in so short a period of time had so certain a prospect of a speedy and happy conclusion? We will venture to pronounce, that so remarkable an instance exists not in the annals of mankind. We well remember what you said at the commencement of this war. You saw the immense difference between your circumstances and those of your enemies, and you knew the quarrel must decide on no less than your lives, liberties and estates. All these you greatly put

to every hazard, resolving rather to die freemen than to live slaves; and justice will oblige the impartial world to confess you have uniformly acted on the same generous principle. Consider how much you have done, how comparatively little remains to be done, to crown you with success. Persevere, and you ensure peace, freedom, safety, glory, sovereignty, and felicity to yourselves, your children, and your childrens' children.

Encouraged by favors already received from infinite goodness, gratefully acknowledging them, earnestly imploring their continuance, constantly endeavoring to draw them down on your heads by an amendment of your lives, and a conformity to the Divine Will, humbly confiding in the protection so often and wonderfully experienced, vigorously employ the means placed by Providence in your hands, for completing your labors.

Fill up your battalions—be prepared in every part to repel the incursions of your enemies—place your several quotas in the continental treasury—lend money for public uses—sink the emissions of your respective states—provide effectually for expediting the conveyance of supplies for your armies and fleets, and for your allies—prevent the produce of the country from being monopolized—effectually superintend the behavior of public officers—diligently promote piety, virtue, brotherly love, learning, frugality, and moderation—and may you be approved before Almighty God worthy of those blessings we devoutly wish you to enjoy.

Done in congress, by unanimous consent, this twenty-sixth day of May, one thousand seven hundred and seventy-nine.

JOHN JAY, *president*.

ATTEST.

CHARLES THOMSON, *secretary*.

ANNAPOLIS, July 7, 1780.

TO THE PEOPLE OF MARYLAND.

*Friends and countrymen!* A free people, from whom the trust and powers of government are delegated to a representative council, for the better management of the public interests, have a right to be informed at all times, but more especially in great emergencies, of the true situation of their affairs. Duty, therefore, as well as inclination, prompts us to lay before you the exigencies and the danger of this, in common with our sister states; to disclose our wants, our resources, and the means of calling them forth in support of the justest cause and noblest ends a people can contend for. The enemy, convinced

by fatal experience, that force and artifice alone will never subdue the stubborn spirit of liberty, have long depended on the failure of our public credit to accomplish their views of conquest: the rapid depreciation of our paper currency, principally owing to the not imposing taxes in due time, as somewhat adequate to the public demands, and the abilities of the people to pay, had given foundation to the opinion, that these states, from the want of money to support the war, would at length give up the contest, and bend to the galling yoke of Britain. The event, however, we trust will discover this opinion to be as vain and delusive, as many others entertained by our inveterate foe. The congress has recommended to the states a plan for calling in their bills of credit, by taxes or otherwise, which has been adopted by this and several other of the states. Taxes, equally laid, quickly collected, and faithfully applied, are necessary to give efficacy to the plan, and to restore, and when restored, to preserve public credit.—Experience has taught us the necessity of taxation: a free people, seeing that necessity, and the importance of victory, on which their liberty depends, needs no exhortation to submit, even with cheerfulness, to the heaviest taxes: reflect, that these will be but temporary, and the benefits resulting from them most extensive and permanent; if adequate and timely exertions are made, the war, probably, may be speedily ended, and will not leave us incumbered with a load of debt, under which the present and future generations must otherwise inevitably labor: by timely and due exertions we shall avoid the evils inseparable from a great national debt. The taxes hitherto imposed cannot be complained of as very burthensome: our present debt, when compared with our probable resources in peace, is far from being alarming; a lingering war, however, besides consuming our inhabitants, wasting our resources, accumulating expense, will subject our country to the cruel and wanton devastations of an enemy, who never yet used even transient victories with moderation. What strong incentives to the most vigorous and spirited efforts are deducible from these reflections! Rise then into action with that ardor which, despising, overcomes all difficulties, and which led you, destitute of money, of allies, of arms and soldiers, to encounter one of the most powerful nations in Europe. Single, and unsupported, raw and undisciplined, you baffled for three successive years the repeated attacks of numerous and veteran bands. Shall we now, when strengthened by a mighty alliance, droop and desert the field, to

which honor, the strongest ties, the dearest interests of humanity, point; to which victory itself invites us? A warlike, potent, and magnanimous nation, has espoused our cause with all that warmth of friendship, and is determined to yield us powerful aid, a respectable land and naval force may be daily expected on our coast from France, ready to act under the orders of our patriotic general. How disgraceful would it be to this state, were it any ways accessory in laying that great, and good man, under the humiliating necessity of avowing to our allies an inability to undertake any enterprise of consequence against the common enemy; particularly, if that weakness should proceed, not from the real inability of this, and the other states, but from the supineness, or the want of spirit in their people! We have hitherto done our duty; the general has acknowledged our exertions, and we entreat you, by all that is dear to freemen, not to forfeit the reputation you have so justly acquired; let us set an example of fortitude, perseverance and disinterestedness: these virtues form the character of true republicans: beware, lest an inordinate love of riches should mark too strongly ours; remember, that you entered upon this war, not through choice, but necessity; not to acquire wealth, or power, but to preserve liberty and property: remember, that your cause is righteous, that you had not recourse to arms, until the bayonet uplifted to your breasts, a discretionary surrender of all that is valuable to man, was demanded with menaces of hostile force, and with all the insolence of conscious power: remember too, that you have pledged to each other your lives, your fortunes, and your sacred honor, in defence of those rights, without the enjoyment of which, life is but misery, and government a curse.

The general has called upon us to complete our battalions, and for a reinforcement of 2205 militia, to join him with all expedition. Considering the approach of harvest, and attentive to your ease and convenience, we have offered to raise an additional battalion, in lieu of the militia, and we have the satisfaction to inform you, that the general has approved the offer, on condition that this battalion be ready at the place of rendezvous by the last of this month at farthest. By the law, printed for your information, and with which we intreat your ready compliance, you will perceive that we have held out the most liberal encouragement for recruits, upon principles of equality and justice. If, from negligence, indifference, or the dread of danger and fatigue, motives too degrading to be imputed to freemen, or from any other cause, this

battalion should not be raised in time, we have directed the militia to be called out in classes, to supply the place of regular troops: your duty, your interest, and no doubt your inclination, will impel you to second the views of your representatives; without your co-operation, in vain may we make laws, or concert plans for the general cause; these must remain as dead letters, unless inspirited by your zeal and activity. We have the honor to represent men who, sensible of the blessings of liberty, must know, that the continuance of them rests altogether on the successful issue of this war. You feel not, indeed, at present, those distresses, which our brethren, whose country is the immediate scene of action, are exposed to; their calamities, therefore, possibly may make a lighter impression on your minds. Contemplate, we beseech you, the ravages committed by the British forces on the plains of Jersey; behold the dwellings of the poor and rich in flames, or reduced to ashes; the fruits of a long and laborious industry swept instantly away as by a torrent; view the helpless infant, the aged parent, the tender virgin, victims to the savage fury, and unbridled lusts of an insolent soldiery; view these scenes of horror and dismay; rouse, and revenge these wrongs, for these we too in our turn shall feel, if we refuse our aid to drive these spoilers and invaders from our land: emulate the conduct of the brave militia of our sister states; the proofs of courage and patriotism, which they have exhibited, you cannot but applaud, and therefore must wish to imitate, and, if possible, surpass.

The prize we are contending for is inestimable; the blood of those heroes, which has been shed in this just and glorious cause, the inviolable ties of plighted faith, the necessity of conquering, gratitude to our illustrious general, and to the brave men under his command, all, conspiring, call aloud for our redoubled efforts. Our army is weak, and reinforced it must be, to act on the defensive, or offensively, as circumstances may require; reinforcements, proportionable to those demanded from this, are to be furnished by the other states. The fall of Charlestown, and the distress of our brave friends in that quarter, have infused fresh vigour into the councils of America; let us, like the Romans of old, draw new resources and an increase of courage, even from defeats, and manifest to the world, that we are then most to be dreaded, when most depressed.

By order of the general assembly,

DAN. of St. THO. JENIFER, Pres. Sen.  
JOSIAS BEALL, Spr. Ho. Del.

## COMMODORE TUCKER.

*From the Eastern Argus, published at Portland, Maine, of Dec. 12, 1820.*

It is with great satisfaction that we have it in our power to state, that the venerable commodore TUCKER has been appointed, by the unanimous votes of the electoral college of this state, a special messenger to carry the votes for president and vice president to the seat of government. And a gratifying event it must be to this war-worn veteran, now in the seventy-fourth year of his age, to be the bearer of the unbought suffrages of a free people for another revolutionary worthy to fill the highest office in their gift. Commodore Tucker was among the most distinguished naval commanders in the war of the revolution. Though it is not our intention, at this time, to give an outline of the interesting adventures of this officer through our eight years struggle for independence, it may not be unacceptable to our readers to be reminded of some of the important benefits which our country derived from his skill and courage in the time of her greatest need. We are apt, in the unbroken flow of prosperity, to forget the merits and achievements of those to whom we are indebted for it.

In March, 1776, after the British army had been driven from Boston in shameful flight, and were lying with the fleet at Long-Island point, a transport, loaded with powder, for the use of the troops, was captured by a vessel under the orders of commodore Tucker, and commanded by one of his officers, just before she arrived within the protection of the British guns. The merits of the arrangements for the capture belonged to the commodore, and he received, if we are not mistaken, the thanks of general Washington. Though Boston was then evacuated, it will be recollected by those who are conversant with that period of our history, that the enemy had been driven from his post by a band of freemen, armed only with fowling pieces, and *without powder or ball*. The ammunition at the disposal of the American commander at one time, was not more than sufficient to furnish his army with more than four or five rounds to each man. The capture of this vessel, though not an event calculated to attract attention by the dazzling lustre of military glory, was, in fact, one of the most important naval occurrences of the war.

Another event, of superior interest, and which displayed the gallantry of the commodore in a stronger light, was the preservation of the *Eustatia* fleet in 1779. The American agents had contracted in Holland for a large quantity of clothing for

the army. It was deposited by the Dutch merchants in *Eustatia*, and put on board a fleet of merchantmen to be transported to our ports. Commodore Tucker was ordered to sail with the *Boston* frigate and *Confederacy*, to meet this fleet and convoy it safe, at all events, into port. The salvation of the army and of the country, depended on the safe arrival of these supplies, the soldiers being not only without pay, but destitute of clothing, and, as soldiers always will be in such cases, irritated, refractory, and mutinous. The moment of the commodore's meeting this fleet was most critical. Two British frigates were then in the pursuit, and were now within gun-shot of the hindermost vessels, when two strange sail were seen bearing down upon them directly ahead. A signal was made for the fleet to disperse, and soon after, Tucker having come within hailing distance of one of the foremost vessels, discovered that it was the fleet of which he was in the pursuit. He instantly made a signal for the *Confederacy* to bear down upon and attack the windward sail, while he wore ship and prepared to engage the vessels at the leeward. The enemy, however, though superior in force, declined meeting him. He fled to New-York, where the commander, after a sham trial, was acquitted on the excuse that his crew was mutinous; and the American commodore led his fleet in triumph into the harbor of Philadelphia, without the loss of a ship. The safe arrival of this fleet was a most important event to the country.

Soon after, the British commander fitted out a vessel for the express purpose of cruising for Tucker, and bringing the rebel into the harbor of New-York. His ship was again somewhat superior to the *Boston*, and manned with fifty chosen men, in addition to the usual crew. He soon had the good or ill fortune to meet with Tucker. Such was the skill and adroitness with which the American commander manœuvred, that he brought his ship within half pistol shot under the quarters of the British vessel, before the captain discovered that it was an enemy, the commodore having English colors flying. He then sent up the stars and stripes, and summoned the enemy to surrender. Such was the commanding position that the American frigate had obtained, that the British captain thought it prudent to surrender before a gun was fired on either side.

Commodore Tucker's enterprise and naval talents were in constant requisition, and he was in active service during the whole war. He took from



the enemy *seventy five* prizes, and more than SIX HUNDRED AND FIFTY mounted cannon, a greater number, we believe, than was captured by any other naval commander.

☞ When the venerable patriot arrived at Washington with the electoral votes, it was contemplated to pass a resolution to admit him within the bar of the house of representatives. But it is a standing rule of the house, that all persons to whom a vote of thanks has been passed, may use that privilege, and it was found that commodore Tucker might claim it from a vote of the old congress—and the house had too much sensibility on the subject, in any manner to depreciate so honorable a claim, by acting on the case, except to permit him to take a seat as a matter of right.

His presence at Washington gave rise to a publication of the following correspondence—

QUINCY, January 18, 1816.

SIR—Samuel Tucker, esq. a member of our Massachusetts legislature, has a petition to government for justice or customary favor to meritorious officers, which will be explained before the proper judges. I cannot refuse his request to certify what I know of his character and history. My acquaintance with him commenced early in the year 1776, when he was first appointed to a command in the navy, in which he served with reputation and without reproach, to the end of the year 1783.

His biography would make a conspicuous figure even at this day, in the naval annals of the United States. I can be particular only in one instance. In 1778, he was ordered to France in the Boston frigate. He sailed in February, and soon fell in with three British frigates, sent from Rhode Island expressly to intercept him. Fighting of one against three was out of the question. In a chase of three days and three nights, he baffled all the inventions, and defeated all the manœuvres of the enemy, and was separated from him, at last, in the Gulph Stream by a furious hurricane, which, for three days more, threatened him with immediate destruction. Nor was this his last danger from seas or from enemies. He had two other storms, and two other detachments of British men of war to encounter; one in the English channel, and another in the Bay of Biscay. He arrived in Bordeaux in April.

Nothing but vigilance, patience, and perseverance, added to consummate nautical skill, could have preserved that ship through so many dangers at that equinoctial season, and such a succession of irresistible enemies.

I heartily wish captain Tucker success; and beg the favor of you, sir, to communicate to any committee, who may be charged with the examination of his application, this letter from your friend and humble servant,

JOHN ADAMS.

Hon. Mr. Crowninshield,

Secretary of the navy of the U. S.

The foregoing is a true copy of the original now in my possession.

MARK L. HILL.

Connected with this letter is an anecdote of the now venerable writer, which we do not recollect to have before seen in print. From the unaffected simplicity with which the letter is written, it would not appear that Mr. Adams was on board the vessel commanded by captain Tucker, in the cruise of which he speaks; but this was the fact. Captain Tucker then commanded the Boston frigate, and was charged with the important duty, at that difficult time, of carrying Mr. Adams out as ambassador to France. About fifteen days before their arrival at Bordeaux, there hove in sight a large English ship, showing a tier of guns. Tucker immediately held a conversation with Mr. Adams, assured him he could take her, and wished to obtain his consent to run down for her; this was granted.—The Boston bore down: Mr. Adams being a non-combatant, was desired to retire into the cock-pit, below water. He descended, at this request, into the cabin. Tucker returned immediately to his duty, and in fifteen minutes the Boston was within hail of the English ship, which proved to be the Martha, and had been lying too to meet her enemy. Upon Tucker's hailing the British ship, she answered by a broadside, which shot away a piece of the mizen yard of the Boston, which fell upon Tucker's shoulder, and brought him flat on the deck. This, for a moment, prevented the order to return the fire; but as he leaped from the deck and gained his legs, he found the colors of the Martha hauled down; and looking forward, observed Mr. Adams among the marines, with a musket in his hand, having privately applied to the officer of the marines for a gun, and taken his station among them. At this sight, captain Tucker became alarmed; for he was responsible for the safety of Mr. Adams; and walking up to the ambassador, desired to know how he came there? upon which the other smiled, gave up his gun, and went immediately below.

COMMODORE BARNEY.

By a misprint, we presume, the late commodore Barry was said to have captured the British ship

"General Monk," in 1782. The error brought forth, in the Washington City Gazette, of June —, 1820, the following explanation and remarks, in a letter addressed to the editor:

I have observed in your Gazette, taken from a Philadelphia paper, an account of a gallant action performed by the late commodore Barney, during the revolutionary war. I allude to the action between the American vessel Hyder Ally, captain Barney, and his Britannic Majesty's sloop of war General Monk, captain Rogers, in 1782.—"Honor to the brave." My only object in addressing you this letter, is to correct an error as to the name of the commander of the Hyder Ally. It was not captain Barry, as is erroneously stated in the papers. It was the late commodore Barney who commanded the Hyder Ally; the same who received a severe wound at the battle of Bladensburg, and who lately died at Pittsburg, in Pennsylvania. I was then in Philadelphia, quite a lad, when the action took place. Both ships arrived at the lower part of the city with a leading wind, immediately after the action, bringing with them all their killed and wounded. Attracted to the wharf by the salute which the Hyder Ally fired, of thirteen guns, which was then the custom, (one for each state) I saw the two ships lying in the stream, anchored near each other. In a short time, however, they warped into the wharf to land their killed and wounded, and curiosity induced me, as well as many others, to go on board each vessel. The Hyder Ally was, as stated, a small ship of 16 six pounders. The Monk, a king's ship of large dimensions, of 18 nine pounders. The difference in the size and equipments of the two ships was matter of astonishment to all the beholders. The Gen. Monk's decks were, in every direction, besmeared with blood, covered with the dead and wounded, and resembled a charnel house. Several of her bow ports were knocked into one—a plain evidence of the well directed fire of the Hyder Ally. She was a king's ship, a very superior vessel, a fast sailer, and coppered to the bends. I was on board during the time they carried on shore the killed and wounded, which they did in hammocks.

I was present at a conversation which took place on the quarter deck of the General Monk, between captain Barney and several merchants in Philadelphia. I remember one of them observing, "why, captain Barney, you have been truly fortunate in capturing this vessel, considering she is so far superior to you in point of size, guns, men and metal." Yes sir, he replied, I do consider myself for-

fortunate—when we were about to engage, it was the opinion of myself, as well as my crew, that she would have blown us to atoms; but we were determined she should gain her victory dearly. One of the wounded British sailors observed—"Yes, sir, captain Rogers observed to our crew, a little before the action commenced, 'Now, my boys, we shall have the Yankee ship in five minutes;' and so we all thought, but here we are."—You will find, by a recurrence to the journals of the old congress, that a sword was voted to captain Joshua Barney, for the gallantry displayed in the action with his Britannic Majesty's ship General Monk.

I can readily account why the name of captain Barry should have been inserted instead of captain Barney.—Capt. Barry, about the same time, commanded a brig of 16 six pounders, called the Hibernia, and was fortunate in capturing several British armed vessels. He afterwards commanded the frigate United States, now in our service, and then on the West India station, and was very successful during our short war with the French republic.—He died in Philadelphia in 1803. I feel the more disposed to set this matter right, as commodore Barney was an intimate friend of mine. If you think these items of information worthy of insertion in your Gazette, they are at your service.

I am, respectfully, yours, &c.

Co.

WILLIAM ELLERY,

ONE OF THE SIGNERS OF THE DECLARATION OF INDEPENDENCE,

*Extract of a letter, dated Newport, R. I. March 14, 1820.*

"Old Mr. Ellery died like a philosopher. In truth, death, in its common form, never came near him. His strength wasted gradually for the last year, until he had not enough left to draw in his breath, and so he ceased to breathe. The day on which he died he got up as usual and dressed himself, took his old flag bottomed chair, without arms, in which he had sat for more than half a century, and was reading Tully's Offices, in the Latin, without glasses, though the print was as fine as that of the smallest pocket bible. Dr. W. stopped in on his way to the hospital, as he usually did; and, on perceiving the old gentleman could scarcely raise his eyelids to look at him, took his hand, and found that his pulse was gone. After drinking a little wine and water, Dr. W. told him his pulse beat stronger. "O yes, doctor, I have a charming pulse." But, he continued, "it is idle to talk to me in this way. I am going off the stage



of life, and it is a great blessing that I go free from sickness, pain and sorrow." Some time after, his daughter, finding him become extremely weak, wished him to be put to bed, which he at first objected to, saying he felt no pain, and there was no occasion for his going to bed. Presently after, however, fearing he might possibly fall out of his chair, he told them they might get him upright in the bed, so that he could continue to read. They did so, and he continued reading Cicero very quietly for some time; presently they looked at him and found him dead, sitting in the same posture, with the book under his chin, as a man who becomes drowsy and goes to sleep."

#### GENERAL CROPPER.

**DIED**—At his seat on Bowman's Folly, at sixteen minutes past two o'clock on the morning of Monday, 19th of January, 1821, general John Cropper, in the 66th year of his age, after an illness of eleven days. He embarked early in the cause of his country, and was chosen a captain in the 9th Virginia regiment on continental establishment, when only nineteen or twenty years of age, and marched in December, 1776, to the north to join the army under the command of the illustrious *Washington*. General Cropper was promoted from a captaincy in the 9th Virginia regiment to a major in the 5th Virginia regiment. Gen C. was at the battle of Brandywine, when the 5th Virginia regiment was nearly cut to pieces, and from which, during the action, his colonel and lieutenant colonel both ran away. Gen. C. then retreated with the remainder of the regiment, and lay concealed in some bushes on the battle ground, until near day-break of the same night of the engagement—between mid-night and day-break, he stole off and marched to Chester, with a red handkerchief lashed to a ramrod for colors. On Chester Bridge, general C. was met by the illustrious *George Washington* and general Woodford. The latter alighted from his horse, embraced gen. Cropper, and pressed him to his bosom and said, "He whom we thought was lost, is found."—Gen. C. was then promoted to a lieutenant colonel in the 7th Virginia regiment, and was at the battles of Germantown and Monmouth Courthouse. From the 7th Virginia regiment he was promoted to the command of the eleventh Virginia regiment, by the Marquis De La Fayette, which regiment he commanded until his return to Virginia, on the 30th of November, 1782. The day on which the preliminary articles of peace were signed at Paris, gen. Cropper was engaged with com. Whaley, in the barge Victory, in the

Chesapeake B.y, against five British barges, under the command of com. Perry. At the commencement of this engagement, there were attached to com. Whaley's squadron three other American barges, all of which ran off as soon as the engagement commenced, and left com. Whaley alone to contend with five British barges, full manned.—Com. W. had on board his barge 69 men, principally citizens of the counties of Accomack and Northampton. About the middle of the engagement, com. W's magazine took fire, at which time several of his men were overboard hanging by the rigging—29 men out of 69 were killed on board com. W's barge, together with the commodore himself. In this engagement, general Cropper had to contend with two white men and one negro, all armed with cutlasses and boarding pikes, and defended himself with a musket and bayonet.—One of the general's antagonists struck him with a cutlass on the head, which nearly brought him down. In the middle of this individual conflict, the negro discovering his young master to be the person with whom he and the two white men were engaged, cried out, "Save him—he is my young master!"—Gen. Cropper afterwards set this faithful man free, and settled him in the city of Baltimore.—General John Cropper was in the service of his beloved country about 45 years. Those who were acquainted with him, know how he discharged his duty in every station in which he was placed. Gen. C. retained to the last hour of his life the veneration and love he bore for the illustrious *Washington*, the saviour of his country. He tried to imitate him in his conduct as a soldier and citizen. The deeds of this great, good, and illustrious American was the theme of general Cropper at all times. He could not bear to hear the least whisper derogatory to the character of the best of men—and more than once has gen. Cropper been personally engaged to defend his fame. Gen. C. had the honor to die possessed with a written document, from the pen of this illustrious personage, which evidenced the high opinion he entertained of the worth of the deceased as an officer. This document was treasured up as a miser would treasure his gold, and but few persons were permitted to read it, or hear it read. It was the more highly prized, because this illustrious general and statesman was cautious in discovering his opinions, or shewing his attachment to individuals—Gen. Cropper was the soldier's friend.—The deceased has left a widow and seven children, and ten grand children, to deplore his loss. The writer of this is one who was well acquainted with the deceased.

## FEMALE PENSIONER.

*From the Dedham (Mass.) Register of Dec. 1820.*

We were much gratified to learn that during the sitting of the court in this town the past week, Mrs. Gannett, of Sharon, in this county, presented for renewal, her claims for services rendered her country as a soldier in the revolutionary army. The following brief sketch, it is presumed, will not be uninteresting. This extraordinary woman is now in the 62d year of her age; she possesses a clear understanding, and a general knowledge of passing events; fluent in speech, and delivers her sentiments in correct language, with deliberate and measured accent; easy in her deportment, affable in her manners, robust and masculine in her appearance. She was about eighteen years of age, when our revolutionary struggle commenced. The patriotic sentiments which inspired the heroes of those days and urged them to battle, found their way to a female bosom. The news of the carnage which had taken place on the plains of Lexington had reached her dwelling—the sound of the cannon at the battle of Bunker Hill, had vibrated on her ears; yet instead of diminishing her ardor, it only served to increase her enthusiasm in the sacred cause of liberty, in which cause she beheld her country engaged. She privately quitted her peaceful home and the habiliments of her sex, and appeared at the head quarters of the American army as a young man, anxious to join his efforts to those of his countrymen, in their endeavors to oppose the inroads and encroachments of the common enemy. She was received and enrolled in the army by the name of *Robert Shurtleffe*. For the space of three years she performed the duties and endured the hardships and fatigues of a soldier; during which time, she gained the confidence of her officers by her expertness and precision in the manual exercise, and by her exemplary conduct. She was a volunteer in several hazardous enterprises, and was twice wounded by musket balls. So well did she contrive to conceal her sex, that her companions in arms had not the least suspicion that the “blooming soldier” fighting by their sides was a female; till, at length, a severe wound, which she received in battle, and which had well nigh closed her earthly campaign, occasioned the discovery. On her recovery she quitted the army and became intimate in the families of gen. Washington, and other distinguished officers of the revolution. A few years afterwards she was married to her present husband, and is now the mother of several children. Of these facts there can be no

doubt. There are many living witnesses in this county, who recognized her on her appearance at the court, and were ready to attest to her services. We often hear of such heroines in other countries, but this is an instance in our own country and within the circle of our acquaintance.

## TREASON.

*An ordinance of the state of Pennsylvania, declaring what shall be treason, and for punishing the same, and other crimes and practices against the state.*

Whereas, government ought at all times, to take the most effectual measures for the safety and security of the state. Be it therefore ordained and declared, and it is hereby ordained and declared, by the representatives of the freemen of the state of Pennsylvania, in general convention met. That all and every person and persons, (except prisoners of war) now inhabiting or residing within the limits of the state of Pennsylvania, or that shall voluntarily come into the same hereafter, to inhabit or sojourn, do, and shall owe and pay allegiance to the state of Pennsylvania.

And be it further ordained, by the authority aforesaid, That all and every such person and persons, so owing allegiance to the state of Pennsylvania, who, from and after the publication hereof, shall levy war against this state, or be adherent to the king of Great Britain, or others

or to the enemies of the United States of America, by giving him or them aid or assistance within the limits of this state, or elsewhere, and shall be thereof duly convicted in any court of oyer and terminer hereafter to be erected, according to law, shall be adjudged guilty of high treason, and forfeit his lands, tenements, goods and chattles, to the use of the state, and be imprisoned any term not exceeding the duration of the present war with Great Britain, at the discretion of the judge or judges.

And be it farther ordained and declared, by the authority aforesaid, That any person or persons (except as before excepted) residing, inhabiting, or sojourning in this state, who shall hereafter know of such treason, and conceal the same, or that shall receive or assist such traitor, knowing him to be such, and shall be thereof duly convicted, as aforesaid, shall be adjudged guilty of misprison of treason, and suffer the forfeiture of one third of his goods and chattels, lands and tenements, to the use of the state, and be imprisoned any term not exceeding the duration of the pre-

sent war with Great Britain, at the discretion of the judge or judges.

And be it further ordained and declared, That in all convictions for high treason, the judge or judges, before whom the trial is had, may, out of the estate forfeited by virtue of this act, make such provision for the wife or children, if any, of the criminal, as he or they, in his or their discretion may deem necessary.

And be it farther ordained and declared, That this ordinance shall be in force, till the end of the first session of the first assembly that shall meet under the new constitution of this state, and no longer.

Passed in convention, September 5, 1776, and signed by their order.

B. FRANKLIN, President.

ATTEST.

JOHN MORRIS, Jun. Sec.

#### MISCELLANEOUS ARTICLES.

FROM VARIOUS SOURCES.

PHILADELPHIA, Dec. 24, 1774.

The following letters from a gentleman in America, to a member of the British parliament, may be depended upon as authentic:

"The proclamation forbidding the exportation of gunpowder and fire arms to America, seems intended to take away from the colonies the power of defending themselves by force. I think it my duty to inform you, that the said proclamation will be rendered ineffectual by a manufactory of gunpowder, which has lately been set on foot in this province, the materials of which may be procured in great perfection among ourselves, and at an easier rate than they can be imported from Great Britain. There are moreover gun-smiths enough in this province, to make one hundred thousand stand of arms in one year, at 28 s. sterling a-piece, if they should be wanted. It may not be amiss to make this intelligence as public as possible, that our rulers may see the impossibility of enforcing the late acts of parliament by arms. Such is the wonderful martial spirit which is enkindled among us, that we begin to think the whole force of Britain could not subdue us. We trust no less to the natural advantages of our country than to our numbers, and military preparations, in the confidence and security of which we boast. The four New England colonies, together with Virginia and Maryland, are completely armed and disciplined. The

province of Pennsylvania will follow their example in a few weeks. Our militia will amount to not less than 60,000 men. Nothing but a total repeal of the acts of parliament of which we complain, can prevent a civil war in America. Our opposition has now risen to desperation. It would be as easy to allay a storm in the ocean, by a single word, as to subdue the free spirit of Americans, without a total redress of their grievances. May a spirit of wisdom descend at last upon our ministry, and rescue the British empire from destruction! We tremble at the thoughts of a separation from Great Britain. All our glory and happiness have been derived from you. But we are in danger of being shipwrecked upon your rocks. To avoid these, we are willing to be tossed, without a compass or guide, for a while, upon an ocean of blood. "Wishing you success in your disinterested labours to promote the happiness of this country, I am, sir, with much esteem for your firmness, your most obedient humble servant."

[Simon's Remembrancer.

JANUARY 21, 1775.

A letter from a gentleman in the province of Massachusetts, to his friend in London.

"You have, no doubt, long before this time, heard the particulars of the general congress, and that the court and the country have digested their thoughts upon them, if not adopted their consequent plans of conduct. God grant that the nation and parliament may think favorably of them, and grant the prayer of our petition to the king.— Britain and America are made to be friends; and it is the most unnatural, detestable quarrel between them that ever happened in the world. Britons and Americans may write or say what they will, but this quarrel never will, and never can be made up, but by restoring us to the state we were in, in 1763. It is as certain as that London or Boston exist, that no other plan or scheme of policy that ever can be invented, will keep the two countries together, but that which nature dictated, and which experience found useful for 150 years. It is in vain, it is delirium, it is frenzy to think of dragging three millions of English people out of their liberties, at the distance of 3000 miles. It is still more extravagantly wild for a nation to think of doing it, when itself is sinking down into a bottomless gulph of debt, in order to make the conquered lift her out of it.

"The congress have drawn a line by the banks of the ocean. They have claimed their own exclu-

sive jurisdiction in all interior concerns, and in all cases of taxation. They have left to Great Britain the exclusive sovereignty of the ocean, and over their trade. They have placed both upon constitutional principles; and if Britons are not content with all we have but our liberty, we say as the corporation of London said to the king in 1770, "We call God and men to witness, that as we do not owe our liberty to those nice and subtle distinctions which pensions and lucrative employments have invented, so neither will we be deprived of it by them; but as it was gained by the stern virtue of our ancestors, by the virtue of their descendants it shall be preserved."

"The congress consisted of the representatives of twelve colonies. Three millions of free white people were there represented. Many of the members were gentlemen of ample fortunes and eminent abilities. Neither corruption nor intrigue had any share, I believe, in their elections to this service, and in their proceedings you may see the sense, the temper and principles of America, and which she will support and defend, even by force of arms, if no other means will do.

"The state of this province is a great curiosity: I wish the pen of some able historian may transmit it to posterity. Four hundred thousand people are in a state of nature, and yet as still and peaceable at present as ever they were when government was in full vigor. We have neither legislators nor magistrates, nor executive officers. We have no officers but military ones. Of these, we have a multitude, chosen by the people, and exercising them with more authority and spirit than ever any did who had commissions from a governor.

"The town of Boston is a spectacle worthy of the attention of a deity, suffering amazing distress, yet determined to endure as much as human nature can, rather than betray America and posterity. General Gage's army is sickly, and extremely addicted to desertion. What would they be, if things were brought to extremities? Do you think such an army would march through our woods and thickets, and country villages, to cut the throats of honest people contending for liberty?

"The neighboring colonies of New-Hampshire, Rhode Island, and Connecticut, are arming and training themselves with great spirit, and if they must be driven to the last appeal, devoutly praying for the protection of heaven.

"There is a spirit prevailing here, such as I never saw before. I remember the conquest of Louisburg in 1745; I remember the spirit here when the duke d'Anville's squadron was upon this coast, when forty thousand men marched down to Boston, and were mustered and numbered upon the common, complete in arms, from this province only in three weeks; but I remember nothing like what I have seen these six months past."

[*Almon's Remembrancer.*]

*Anecdote of general Putnam.*—During the late war, when general Amherst was marching across the country to Canada, the army coming to one of the lakes, which they were obliged to pass, found the French had an armed vessel of twelve guns upon it. He was in great distress; his boats were no match for her; and she alone was capable of sinking his whole army in that situation. While he was pondering what should be done, Putnam comes to him, and says, "general, that ship must be taken." Aye, says Amherst, I would give the world she was taken. "I'll take her," says Putnam.—Amherst smiled, and asked how? "Give me some wedges, a beetle, (a large wooden hammer, or maul, used for driving wedges) and a few men of my own choice." Amherst could not conceive how an armed vessel was to be taken by four or five men, a beetle, and wedges. However, he granted Putnam's request. When night came, Putnam, with his materials and men, went in a boat under the vessel's stern, and in an instant drove in the wedges behind the rudder, in a little cavity between the rudder and ship, and left her. In the morning, the sails were seen fluttering about: she was adrift in the middle of the lake; and being presently blown ashore, was easily taken.

The Rev. Mr. Payson, of Chelsea, near Boston, a gentleman of the mildest manners, soundest learning, and most amiable character, who has ever been so warm on the side of government, that parson Treadwell, and others, on the side of the people, have repeatedly refused to let him preach in their pulpits; being at Lexington, and with his own eyes seeing that the king's troops had fired first, and committed murder—and, being himself a witness of other of their barbarities, could not endure the sight without taking vengeance; he therefore put himself at the head of a party, and with his musket, led them on to the attack—engaged, and killed, or wounded, and took prisoners, the whole party mentioned in one of the accounts, as going up with provisions and ammunition for the main

body. What will government say to this desertion of one among many of their warmest friends?—It seems as if the cause was such, that no honest man could appear in it.

From the *New-York Journal*.

NEW-YORK *May 22, 1773.*

The people of New Jersey have taken possession of the treasury of that province, in which was the amount of between twenty and thirty thousand pounds; which money is to be appropriated to the payment of the troops now raised in that province, for the defence of the liberties of America.

Worcester, *May 17.*

A great number of governor Hutchinson's letters have lately fallen into the hands of our people. A correspondent at Roxbury has favored us with the following extract from one of them to general Gage, then at New York, dated at Boston, July 20, 1770. "It appears to me to be a matter of great importance to his majesty's general service, and to the real interest of the colonies, that the discord beginning between New York and us should be encouraged: I wrote some time ago to Mr. C— upon this subject, but he rather declined concerning himself in it; he certainly has a strange aversion, which nothing but the confederacy against Great Britain could have conquered: this has too much the appearance of Machiavelian policy; but it is justifiable, as it has the most obvious tendency to save the colonies ruining themselves, as well as preventing them destroying the mother country. If Pennsylvania could be brought to take part with New York, I think the *business would be done*. I must beg the favor of you not to let this letter come under any other than your own observation."

PHILADELPHIA, *June 9, 1775.*

The following paragraphs are taken from the *Pennsylvania Mercury*:

The ladies in Bristol township have evidenced a laudable regard to the interest of their country. At their own expense, they have furnished the regiment of that county with a suit of colours and drums, and are now making a collection to supply muskets to such of the men as are not able to supply themselves. We hear the lady, who was appointed to present the colors to the regiment, gave in charge to the soldiers, never to desert the colors of the ladies, if they ever wished that the ladies should list under their banners.

The spirit of opposition to the arbitrary and ty-

rannical acts of the ministry and parliament of Britain, hath diffused itself so universally throughout this province, that the people, even to its most extended frontiers, are indefatigable in training themselves to military discipline. The aged, as well as the young, daily march out under the banners of liberty, and discover a determined resolution to maintain her cause even until death. In the town of Reading, in Berks county, there had been some time past three companies formed, and very forward in their exercise; since, however, we are well informed, a fourth company have associated under the name of the Old Man's company. It consists of about eighty Germans, of the age of forty and upwards. Many of them have been in the military service in Germany. The person who, at their first assembling, led them to the field, is 97 years of age, has been 40 years in the regular service, and in 17 pitched battles, and the drummer is 84. In lieu of a cockade, they wear in their hats a black crape, as expressive of their sorrow for the mournful events which have occasioned them, at their late time of life, to take arms against our brethren, in order to preserve that liberty which they left their native country to enjoy.

In the assembly of Pennsylvania, *June 29, 1775.*—

The house taking into consideration, that many of the good people of this province are conscientiously scrupulous of bearing arms, do hereby earnestly recommend to the associators for the defence of their country, and others, that they bear a tender and brotherly regard towards this class of their fellow subjects and countrymen; and to these conscientious people it is also recommended, that they cheerfully assist, in proportion to their abilities, such persons as cannot spend both time and substance in the service of their country without great injury to themselves and families.

Extract of a letter from Philadelphia, dated July 10, 1775, from a gentleman of consideration and fortune.

"Travel through whatever part of this country you will, you see the inhabitants training, making firelocks, casting mortars, shells and shot, and making saltpetre, in order to keep the gunpowder mills at work during the next autumn and winter. Nothing, indeed, is attended to but preparing to make a defence that will astonish the whole world, and hurl destruction on those who, to preserve themselves in office, have advised measures so fatal both to Britain and America. At least two hundred thousand men are now in arms, and well train-

ed, ready to march whenever wanted for the support of American freedom and property. In short, a spirit of enthusiasm for war is gone forth, that has driven away the fear of death; and magazines of provisions and ammunition, by order of the states general of America, (*or the twelve United Colonies*) are directed to be made in all proper places, against the next campaign."

*The Synod of New York and Philadelphia*, published a pastoral letter, which was read in the churches under their care on Thursday, June 29, 1775, being the day of the general fast. This letter begins with intreating all ranks of people to acknowledge their sins, and turn from the errors of their ways; and "as the whole continent, with hardly any exception, seem determined to defend their rights by force of arms, it becomes the peculiar duty of those who profess a willingness to hazard their lives in the cause of liberty, to be prepared for death, which to many must be a certain, and to every one is a possible or probable event: It is well known to you, (otherwise it would be imprudent thus publicly to profess) that we have not been instrumental in inflaming the minds of the people, or urging them to acts of violence and disorder. Perhaps no instance can be given on so interesting a subject, in which political sentiments have been so long and so fully kept from the pulpit, and even malice itself has not charged us with laboring for the press; but things are now come to such a height, that we do not wish to conceal our opinions as men. Suffer us therefore to exhort you, by assuring you, that there is no army so formidable as those who are superior to the seat of death. Let therefore every one who, from generosity of spirit, or benevolence of heart, offers himself as a champion in his country's cause, be persuaded to reverence the *Lord of Hosts*, and walk in the fear of the *Prince of the kings of the earth*, and then he may, with the most unshaken firmness, expect the issue even in death or victory."

LORD EFFINGHAM.

*The following is a copy of lord Effingham's resignation of his commission in the British army.*

To LORD BARRINGTON, secretary at war.

MY LORD:—I beg the favor of your lordship to lay before his majesty the peculiar embarrassment of my present situation.

Your lordship is no stranger to the conduct which I have observed in the unhappy disputes with our American colonies.

The king is too just and too generous not to believe, that the votes I have given in parliament have been given according to the dictates of my conscience. Whether I have erred or not, the course of future events must determine. In the mean time, if I were capable of such duplicity, as to be any way concerned in enforcing those measures of which I have so publicly and solemnly expressed my disapprobation, I should ill deserve what I am most ambitious of obtaining, the esteem and favorable opinion of my sovereign.

My request therefore to your lordship is this, that after having laid those circumstances before the king, you will assure his majesty, that he has not a subject who is more ready than I am with the utmost cheerfulness to sacrifice his life and fortune in support of the safety, honor, and dignity of his majesty's crown and person. But the very same principles which have inspired me with these unalterable sentiments of duty and affection to his majesty, will not suffer me to be instrumental in depriving any part of his people of those liberties which form the best security for their fidelity and obedience to his government. As I cannot, without reproach from my own conscience, consent to bear arms against my fellow subjects in America, in what, to my weak discernment, is not a clear cause; and as it seems now to be finally resolved, that the 22d regiment is to go upon American service, I desire your lordship to lay me in the most dutiful manner at his majesty's feet, and humbly beg that I may be permitted to retire.

Your lordship will also be so obliging to entreat, that as I wave what the custom of the service would entitle me to the right of selling what I bought, I may be allowed to retain my rank in the army, that whenever the envy or ambition of foreign powers should require it, I may be enabled to serve his majesty and my country in that way, in which alone I can expect to serve them with any degree of effect.

Your lordship will easily conceive the regret and mortification I feel at being necessitated to quit the military profession, which has been that of my ancestors for many generations, to which I have been bred almost from my infancy, to which I have devoted the study of my life; and to perfect myself in which, I have sought instruction and service in whatever part of the world they were to be found.

I have delayed this to the last moment, lest any wrong construction should be given to a conduct which is influenced only by the purest motives. I

complain of nothing; I love my profession, and should think it highly blamable to quit any course of life, in which I might be useful to the public, so long as my constitutional principles, and my notions of honor, permitted me to continue in it.

I have the honor to be, with great respect, your lordship's most obedient, and most humble servant,

ERRINGTON.

*Adelphi Buildings, April 12, 1775.*

DUBLIN, August 25, 1775.

At Guildhall, Dublin, the 17th of July, 1775, being quarter-day of the Guild of merchants of the said city, the following resolutions were agreed to:

"Resolved, unanimously, That the sincere thanks of this Guild be presented to the right honorable the earl of ERRINGTON, in testimony of our approbation of his public conduct, particularly exemplified in his refusing to draw that sword which had been employed to the honor of his country, against the lives and liberties of his fellow subjects in America; and honestly and spiritedly resigning a commission which he could no longer hold consistent with the principles of a true Englishman, or of a real friend to the interest of Britain."

"Resolved, That the sincere thanks of this Guild be presented to the right honorable JOHN WILKINS, lord mayor of the city of London, for the essential services which he has rendered his king and country, by his strenuous efforts in the cause of freedom; and for his able, spirited, and judicious defence of the right of the people to petition the throne."

There was to the last resolution a single negative given by a *Stetchman*, who has an employment in our stamp office.

"Resolved unanimously, That an address of thanks from the Guild be presented to the several peers, who (in support of our constitution, and in opposition to a weak and wicked administration) *protested* against the American, restraining bills."—And the following gentlemen were appointed, with the masters and wardens, a committee to prepare the same:

James Napper Tandy,	Samuel Gamble,
Henry Hawison,	Samuel Stephens,
Sir Edw. Newenham,	Hugh Crothers.
John Pere,	

*Who prepared the following:*

"We, the masters, wardens, and brethren of the Guild of merchants in the city of Dublin, in com-

mon hall assembled, with the most unfeigned respect, beg leave to offer to your lordship the just tribute of our thanks for your noble and spirited, though hitherto ineffectual exertions in the cause of liberty and of your country, fully evinced in your opposition to the oppressive and unconstitutional proceedings of a corrupt administration.

"With equal grief and indignation, we have for years beheld repeated innovations on the free constitution of these realms, and daily invasions of the dearest rights and immunities of the subject. We have seen with astonishment *popery* established by law in one, and encouraged in every part of the empire, in the reign of a *Protestant prince*; and despotism and arbitrary power promoted by every insidious machination and open violence, by the servants of the crown, in the reign of a monarch who, from the throne, declared *he glorified in being a Briton born*, and whose family was called to the throne of these kingdoms to protect the *Protestant religion*, and preserve that constitution *inviolate* for which our ancestors so freely bled, and for the invading of which, a tyrant was expelled the throne.

"But while we contemplate with horror the universal ruin and devastation in which the empire is nearly involved by the wicked designs of evil men; we with pleasure survey the steady, incorruptible, and patriotic virtues which adorn you and shield us; while we boast of such a noble band of patriots, while we see united in the cause of freedom such a number of the true hereditary guardians of liberty, and of the principles of the glorious revolution, we cannot, we will not despair of seeing once more the valuable constitution of these countries restored to its primitive purity.

"Permit us therefore, to offer your lordship our warmest, our most grateful acknowledgements as Protestants, for your steady opposition to the establishment of popery and slavery in Canada; as freemen, for your manly and spirited opposition to the several restraining bills; and your noble efforts in the support of *American liberty*, and in the cause of our suffering and much oppressed brethren and fellow subjects there; and we have the fullest reliance on your steady perseverance in the same principles which have so strongly endeared you, not only to us, but to every real friend of the British empire and its constituents."

In testimony whereof, we have caused the seal of our corporation to be hereunto affixed, this 17th day of July, in the year of our Lord, 1775.

"(Seal.)

*Midsummer Assembly, July 21, 1775.*

"Resolved, That the thanks of the sheriffs and commons be presented to lord Effingham, for having chosen gloriously to resign his commission, rather than imbrue his hands in the blood of his innocent and oppressed fellow subjects."

Which being enclosed to his lordship by the proper officer, the following answer was received:

SIR:—"I have been favored with your letter of the 21st of July last, enclosing the copy of a resolution of the sheriffs and commons of the city of Dublin.

"Next to the testimony of a man's own conscience, is, in my opinion, his greatest happiness to have the approbation of the wise and honest among his fellow subjects.

"The former of these can, I think, be no other way enjoyed, than by a strict adherence to those principles, which, at the revolution, established our civil and religious liberties; and it is easy, sir, for you to conceive, but beyond my abilities to express what I felt, at my conduct's being judged, by so independent and respectable an assembly as the sheriffs and commons of the city of Dublin, deserving of the latter.

"I am, with truth and respect, sir, your most obedient humble servant, EFFINGHAM.

*The Holmes, Aug. 14, 1775.*

*New York, July 31, 1775.*

Instructions for the officers of the several regiments of the Massachusetts Bay forces, who are immediately to go upon the recruiting service.

You are not to enlist any deserter from the ministerial army, nor any stroller, negro, or vagabond, or person suspected of being an enemy to the liberty of America, nor any under eighteen years of age.

As the cause is the best that can engage men of courage and principle to take up arms, so it is expected that none but such will be accepted by the recruiting officer; the pay, provision, &c. being so ample, it is not doubted but the officers sent upon this service, will without delay, complete their respective corps, and march the men forthwith to the camp.

You are not to enlist any person who is not an American born, unless such person has a wife and family, and is a settled resident in this country.

The person you enlist, must be provided with good and complete arms.

Given at the head quarters at Cambridge, this 10th day of July, 1775.

HORATIO GATES, *Adj. Gen.*

*Extract of a letter from Charlestown, South Carolina, August 5, 1775.*

"Be assured, peace will never be firmly established between Great Britain and America, until the latter receives an ample recognition of her rights, and a full satisfaction for the blood that has or may be shed. The inhabitants of this vast continent would give up all their sea-coast towns, retire into the interior country, and contentedly subsist on the bare necessities of life, rather than submit to the implicit subjugation of a British parliament. But don't apprehend they will suffer this distress like docile animals. No: depend, they will protect their property to the last extremity, and although they have hitherto acted only on the defensive, believe me, unless there is an evident prospect of accommodation this winter, hostilities will commence on their part, by and with the assistance of a foreign power, and with a spirit that will alarm all Europe. And then farewell to Great Britain."

*Fragment of a speech made in the general congress of America, by one of the delegates in 1775—author unknown. From Almon's Remembrancer.*

The great God, sir, who is the searcher of all things, will witness for me, that I have spoken to you, from the bottom and purity of my heart. We have heard that this is an arduous consideration. And surely, sir, we have considered it earnestly. I may think of every gentlemen here, as I know of myself, that, for seven years past, this question has filled the day with anxious thought, and the night with care. The God to whom we appeal, must judge us. If the grievances, of which we complain, did not come upon us unprovoked and unexpected—when our hearts were filled with respectful affection for our parent state, and with loyalty to our king—let slavery, the worst of human ills, be our portion. Nothing less than seven years of insulted complaints and reiterated wrongs, could have shaken such rooted sentiments. Unhappily for us, submission and slavery are the same; and we have only the melancholy alternative left—of ruin or resistance.

The last petition\* of this congress to the king, contained all that our unhappy situation could suggest. It represented our grievances; implored

\*In 1774, presented last Christmas.



redress, and professed our readiness to contribute for the general want, to the utmost of our abilities, when constitutionally required.

The apparently gracious reception it met with, promised us a due consideration of it; and that consideration relief. But, alas! Sir, it seems at that moment the very reverse was intended. For it now appears, that in a very few days after this precious answer to our agents, a circular letter was privately written by the same secretary of state; to the governors of the colonies, before parliament had been consulted, pronouncing the congress illegal, our grievances pretended, and vainly commanding them to prevent our meeting again. Perhaps, sir, the ministers of a great nation, never before committed an act of such narrow policy and treacherous duplicity. They found parliament, however, prepared to support every one of their measures.

I forbear, sir, entering into a detail of those acts, which, from their atrociousness, must be felt and remembered forever. They are calculated to carry fire and sword, famine and desolation, through these flourishing colonies. They cry, "havoc, and let slip the dogs of war." The extremes of rage and revenge, against the worst of enemies, could not dictate measures more desperate and destructive.

There are some people who tremble at the approach of war. They fear, that it must put an inevitable stop to the further progress of these colonies; and ruin irretrievably those benefits, which the industry of centuries has called forth, from this once savage land. I may commend the anxiety of these men, without praising their judgment.

War, like other evils, is often wholesome. The waters that stagnate, corrupt. The storm that works the ocean into rage, renders it salutary.—Heaven has given us nothing unmixed. The rose is not without the thorn. War calls forth the great virtues and efforts, which would sleep in the gentle bosom of peace. "*Paulum sepulta datat inertu celata virtus.*" It opens resources which would be concealed under the inactivity of tranquil times. It rouses and enlightens. It produces a people of animation, energy, adventure, and greatness. Let us consult history: Did not the Grecian republics prosper amid continual warfare? Their prosperity, their power, their splendor, grew from the all-animating spirit of war—did not the cottages of shepherds, rise into imperial Rome, the mistress of the

world, the nurse of heroes, the delight of Gods! through the invigorating operation of unceasing wars!—"Per damna, per cedes, ab ipso Jure spes animusque ferro." How often has Flanders been the theatre of contending powers, conflicting hosts, and blood! Yet what country is more flourishing and fertile? Trace back the history of our parent state. Whether you view her arraying Angles against Danes; Danes against Saxons; Saxons against Normans; the Barons against the usurping princes, or the civil wars of the red and white roses, or that between the people and the tyrant Stuart—you see her in a state of almost continual warfare. In almost every reign, to the commencement of that of Henry the VIIth, her peaceful bosom (in her poet's phrase) was gored with iron war. It was in the peaceful reigns of Henry VII. Henry VIII. and Charles II. that she suffered the severest extremities of tyranny and oppression. But amid her civil contentions, she flourished and grew strong, trained in them, she sent her hardy legions forth, which planted the standard of England upon the battlements of Paris; extending her commerce and her dominion.

"Those noble English, who could entertain  
With half their forces, the full power of France,  
And let another half, stand laughing by,  
All out of work, and cold for action."

The beautiful fabric of her constitutional liberty was reared and cemented in blood. From this fullness of her strength those scions issued, which taking deep root in this delightful land, have reared their heads, and spread abroad their branches like the cedars of Lebanon.

Why fear we then, to pursue, through apparent evil—real good? The war, upon which we are to enter, is just and necessary. "*Justum est bellum, ubi necessarium; et pia arma, quibus nulla, nisi in armis, relinquitur spes.*" It is to protect these regions, brought to such beauty through the infinite toil and hazard of our fathers and ourselves, from becoming the prey of that more desolating cruel spoiler, than war, pestilence, or famine,—absolute rule and endless extortion.

Our sufferings have been great—our endurance long. Every effort of patience, complaint, and supplication, has been exhausted. They seem only to have hardened the hearts of the ministers who oppress us, and double our distresses. Let us therefore consult only how we shall defend our liberties with dignity and success. Our parent state will then think us worthy of her, when she sees that with her liberty we inherit her rigi-

resolution of maintaining it against all invaders. Let us give her reason to pride herself in the relationship.

And thou, great liberty! inspire our souls.  
Make our lives happy in thy pure embrace,  
Or our deaths glorious in thy just defence!

*The following address was published in Canada, on the arrival there of colonel Arnold, with the troops under his command.*

By his excellency George Washington, esq. commander in chief of the army of the United Colonies of North America.

TO THE INHABITANTS OF CANADA.

*Friends and brethren*—The unnatural contest between the English Colonies and Great Britain, has now risen to such a height, that arms alone must decide it. The colonies, confiding in the justice of their cause, and the purity of their intentions, have reluctantly appealed to that Being, in whose hands are all human events. He has hitherto smiled upon their virtuous efforts—the hand of tyranny has been arrested in its ravages, and the British arms, which have shone with so much splendor in every part of the globe, are now tarnished with disgrace and disappointment. Generals of approved experience, who boasted of subduing this great continent, find themselves circumscribed within the limits of a single city and its suburbs, suffering all the shame and distress of a siege, while the free-born sons of America, animated by the genuine principles of liberty and love of their country, with increasing union, firmness and discipline, repel every attack, and despise every danger.

Above all, we rejoice, that our enemies have been deceived with regard to you—they have persuaded themselves, they have even dared to say, that the Canadians were not capable of distinguishing between the blessings of liberty, and the wretchedness of slavery; that gratifying the vanity of a little circle of nobility—would blind the people of Canada. By such artifices they hoped to bend you to their views, but they have been deceived; instead of finding in you that poverty of soul and baseness of spirit, they see with a chagrin, equal to our joy, that you are enlightened, generous, and virtuous—that you will not renounce your own rights, or serve as instruments to deprive your fellow-subjects of theirs. Come then, my brethren, unite with us in an indissoluble union, let us run together to the same goal. We have taken up arms in defence of our liberty, our property, our wives, and our children; we are determined to preserve them, or die.

— 54

We look forward with pleasure to that day, not far remote (we hope) when the inhabitants of America shall have one sentiment, and the full enjoyment of the blessings of a free government.

Incited by these motives, and encouraged by the advice of many friends of liberty among you, the grand American congress have sent an army into your province, under the command of general Schuyler—not to plunder, but to protect you—to animate, and bring forth into action those sentiments of freedom you have disclosed, and which the tools of despotism would extinguish through the whole creation. To co-operate with this design, and to frustrate those cruel and perfidious schemes, which would deluge our frontiers with the blood of women and children, I have detached colonel Arnold into your country, with a part of the army under my command. I have enjoined upon him, and I am certain that he will consider himself, and act as in the country of his patrons and best friends. Necessaries and accommodations of every kind which you may furnish, he will thankfully receive, and render the full value. I invite you therefore as friends and brethren, to provide him with such supplies as your country affords; and I pledge myself not only for your safety and security, but for an ample compensation. Let no man desert his habitation—let no one flee as before an enemy. The cause of America, and of liberty, is the cause of every virtuous American citizen; whatever may be his religion or his descent, the United Colonies know no distinction but such as slavery, corruption, and arbitrary dominion, may create. Come then, ye generous citizens, range yourselves under the standard of general liberty—against which all the force and artifice of tyranny will never be able to prevail.

G. WASHINGTON.

*A letter from general Lee to general Burgoyne, dated camp on Prospect Hill, December 1, 1775.*

"DEAR SIR—As I am just informed you are ready to embark for England, I cannot refrain from once more trespassing on your patience. An opportunity is now presented of immortalizing yourself as the Saviour of your country. The whole British empire stands tottering on the brink of ruin, and you have it in your power to prevent the fatal catastrophe, but it will admit of no delay. For Heaven's sake avail yourself of the precious moment; put an end to the delusions; exert the voice of a brave virtuous citizen, and tell the people at home that they must immediately rescind all their impolitic acts; that they must overturn the whole

frantic system, or that they are undone. You ask me, in your letter, if it is independence at which the Americans aim? I answer, no! the idea never entered a single American's head until a most intolerable oppression forced it upon them. All they required was to remain masters of their own property, and be governed by the same equitable laws which they had enjoyed from the first formation of the colonies. The ties of connection, which bound them to their parent country, were so dear to them, that he who would have ventured to have touched them, would have been considered as the most impious of mortals; but these sacred ties, the same men who have violated or baffled the most precious laws and rights of the people at home, dissipated or refused to account for their treasures, tarnished the glory, and annihilated the importance of the nations; these sacred ties, I say, so dear to every American, are now rending asunder.

"You ask, whether it is the weight of taxes of which they complain? I answer no; it is the principle they combat, and they would be guilty in the eyes of God and man, of the present world and all posterity, did they not reject it; for if it were admitted, they would have nothing that they could call their own. They would be in a worse condition than the wretched slaves in the West India Islands, whose little peculium has ever been esteemed inviolate. But wherefore should I dwell on this, is not the case of Ireland the same with theirs? They are subordinate to the British empire, they are subordinate to the parliament of Great Britain; but they tax themselves. Why, as the case is similar, do not you begin with them? But you know, Mr. Burgoyne, the m——ry dare not attempt it. There is one part of your letter which, I confess, I do not understand. If I recollect right, for I unfortunately have not the letter by me, you say, that if the privilege of taxing themselves is what the Americans claim, the contest is at an end; you surely cannot allude to the propositions of N——. It is impossible that you should not think with me, and all mankind, that these propositions are no more or less than adding to a most abominable oppression, a more abominable insult. But to recur to the question of Americans aiming at independence? Do any instructions of any one of the provinces to their representatives, or delegates furnish the least ground for the suspicion? On the contrary, do they not all breathe the strongest attachment and filial piety for their parent country? But if she discard all

the natural tenderness of a mother, and acts the part of a cruel step-dame, it must naturally be expected that their affections cease; the ministry leave them no alternative, *aut servire, aut aliam juberent*; it is in human nature, it is a moral obligation to adopt the latter; but the fatal separation has not yet taken place, and yourself, your single self, my friend, may perhaps prevent it. Upon some persons, I am afraid, you can make no impression; for to repeat a hackneyed quotation,

"They are in blood  
 "Perp'd in so far, that should they wake in mass,  
 "To return would be as tedious as to go o'er."

But if you will at once break off all connections with these men, if you will wave all consideration but the salvation of your country, Great Britain may stand as much indebted to general Burgoyne as Rome was to her Camillus. Do not I entreat you, my dear sir, think this the mad rhapsody of an enthusiast, nor the cant of a factious designing man, for in these colors, I am told, I am frequently painted. I swear by all that is sacred, as I hope for comfort and honor in this world, and to avoid misery in the next, that I most earnestly and devoutly love my native country; that I wish the same happy relation to subsist for ages, betwixt her and her children, which has raised the wide arch of her empire to so stupendous and enviable an height: but at the same time I avow, that if the parliament and people should be depraved enough to support any longer some persons in their scheme, my zeal and reverence for the rights of humanity are so much greater than my fondness for any particular spot, even the place of my nativity, that had I any influence in the councils of America, I would advise not to hesitate a single instant, but decisively to cut the Gordian knot now besmeared with civil blood.

"This I know is strong, emphatic language, and might pass with men, who are strangers to the flame which the love of liberty is capable of lighting up in the human breast, for a proof of my insanity; but you, sir, you, unless I have mistaken you from the beginning, will conceive that a man in his sober senses, may possess such feelings. In my sober senses, therefore, permit me once more, most earnestly to entreat and conjure you to exert your whole force, energy, and talents, to stop certain persons in this, their headlong career. If you labor in vain (as I must repeat I think will be the case) address yourself to the people at large; by adopting this method, I am so sanguine as to assure myself of your success; and your public

character will be as illustrious as your personal qualities are amiable to all who intimately know you. By your means, the colonists will long continue the farmers, planters, and shipwrights of Great Britain; but if the present course is persisted in, an eternal divorce must inevitably take place. As to the idea of subduing them into servitude, and indemnifying yourselves for the expense, you must be convinced, before this, of its absurdity.

"I should not, perhaps, be extravagant, if I advanced that all the ships of the world would be too few to transport force sufficient to conquer three millions of people unanimously determined to sacrifice every thing to liberty; but if it were possible, the victory would be not less ruinous than the defeat. You would only destroy your own strength. No revenue can possibly be extracted out of this country. The army of placement might be increased, but her circuitous commerce, founded on perfect freedom, which alone can furnish riches to the metropolis, would fall to the ground. But the dignity, of Great Britain it seems is at stake. Would you, sir, if in the heat of passion you had struck a simple drummer of your regiment, and afterwards discovered it unjustly, think it any forfeiture of your dignity to acknowledge the wrong? No (I am well acquainted with your disposition) you would ask his pardon, at the head of your regiment.

"I shall now conclude (if you will excuse the pedantry) with a sentence of Latin: *"Justum est bellum, quibus necessarium; et pia arma quibus nulla nisi in armis, relinquere spes."* I most sincerely wish you a quick and prosperous voyage; and that your happiness and glory may be equal to the idea I have of your merits, as I am, with the greatest truth and affection, your's

C. LEE."

*The following is said to be a copy of the oath exacted by general Lee of the people of Rhode Island, on his arrival there—Dec. 1775.*

"I—here, in the presence of Almighty God, as I hope for ease, honor, and comfort in this world, and happiness in the world to come, most earnestly, devoutly and religiously swear that I will neither directly or indirectly assist the wicked instruments of ministerial tyranny and villainy, commonly called the king's troops and navy, by furnishing them with provisions and refreshments of any kind, unless authorised by the continental congress or legislature at present established in this particular colony of Rhode Island: I do also swear by the Tremendous

and Almighty God, that I will neither directly or indirectly convey any intelligence, nor give any advice to the aforesaid enemies described; and that I pledge myself, if I should by any accident get knowledge of such treasons, to inform immediately the committee of safety: and as it is justly allowed that when the rights and sacred liberties of a nation or community are invaded, neutrality is not less base and criminal than open and avowed hostility: I do further swear and pledge myself, as I hope for eternal salvation, that I will whenever called upon by the voice of the continental congress, or by that of the legislature of this particular colony under their authority to take arms and subject myself to military discipline in defence of the common rights and liberties of America. So help me God."

#### MEMENTO TO THE AMERICANS.

*From the Pennsylvania Journal—March, 1776.*

Remember the stamp act, by which immense sums were to be yearly extorted from you.

Remember the declaratory act, by which a power was assumed of binding you, in all cases whatsoever, without your consent.

Remember the broken promise of the ministry,\* never again to attempt a tax on America.

Remember the duty act.

Remember the massacre at Boston, by British soldiers.

Remember the ruin of that once flourishing city by their means.

Remember the massacre at Lexington.

Remember the burning of Charlestown.

Remember general Gage's infamous breach of faith with the people of Boston.

Remember the cannonading, bombarding, and burning of Falmouth.

Remember the shrieks and cries of the women and children.

Remember the cannonading of Stonington and Bristol.

Remember the burning of Jamestown, Rhode Island.

Remember the frequent insults of Newport.

Remember the broken charters.

Remember the cannonade of Hampton.

Remember the act for screening and encouraging your murderers.

Remember the cannonade of New-York.

Remember the altering your established jury laws.

Remember the hiring foreign troops against you.

\*In lord Hillsborough's circular letter.

Remember the rejecting of lord Chatham's, Mr. Hartley's and Mr. Burk's plans of conciliation.

Remember the treatment of Franklin and Temple.

Remember the rejecting of all your numerous humble petitions.

Remember the contempt with which they spoke of you in both houses.

Remember the cowardly endeavor to prevent foreign nations supplying you with arms and ammunition, when they themselves knew they intended coming to cut your throats.

Remember their hiring savages to murder your farmers with their families.

Remember the bribing negro slaves to assassinate their masters.

Remember the burning of Norfolk.\*

Remember their obliging you to pay treble duties, when you came to trade with the countries you helped them to conquer.†

Remember their depriving you of all share in the fisheries, you equally with them spent your blood and treasure to acquire.

Remember their old restrictions on your woollen manufactories, your hat-making, your iron and steel forges and furnaces.

Remember their arbitrary admiralty courts.

Remember the inhuman treatment of the brave colonel Allen, and the irons he was sent into England.

Remember the long, habitual, base venality of British parliaments.

Remember the corrupt, putrified state of that nation, and the virtuous, sound, healthy state of your own young constitution.

Remember the tyranny of Mesentius, who bound living men, face to face, with dead ones, and the effect of it‡

Remember the obstinacy and unforgiving spirit of the —, evident in the treatment of his own b—s.

Remember that an honorable death is preferable to an ignominious life; and never forget what you owe to yourselves, your families, and your posterity.

\*This and all the beforementioned, were open, defenceless towns, which, by the laws of war, should always be spared.

†Act of parliament, 14 George III. laying a duty of three-pence per gallon on all spirits imported into Canada from Britain; and nine-pence, if from any of the North American colonies.

‡The corruption of the one poisoned the other.

FROM THE PENNSYLVANIA JOURNAL.

*Enclosed I send you the speech of an honest, sensible, and spirited farmer of this county, addressed to an assembly of his neighbours, on his engaging in the continental service.*

MY FRIENDS AND COUNTRYMEN—I have observed that some of you are a little surprised that I, with so many inducements as I have to remain at home, should have resolved to quit my family, and my farm for the fatigues and dangers of war. I mean you should be perfectly satisfied as to my motives. I am an American: and am determined to be free. I was born free: and have never forfeited my birth-right; nor will I ever, like the infatuated son of Isaac, sell it for a mess of pottage. I will part with my life sooner than my liberty; for I prefer an honorable death to the miserable and despicable existence of a slave.

The — who would rob me of my property, because he thinks he has use for it, and is able to take it from me, would as soon, for the same reason, rob me of my life, if it stood in his way; but it is God Almighty who gave me my life, and my property, as a necessary means among others of preserving and enjoying it; and it is he only that hath an absolute and unlimited right and power to take either or both away. Being the Creator, the Supremacy, the perfect ruler and judge of all the earth, he only can do no wrong: should therefore any creature whatsoever, or number of them, dare to usurp this sole prerogative of Heaven over me, I could neither answer it to my Maker, nor my conscience, nor my honor, if I did not resist, though it were to the last drop of my blood. It is in the free enjoyment of those blessings, uncontrolled by any human powers, (except so far as the voice of the society in general, of which we are members, may have resigned a part for the preservation of the whole), that that civil liberty substantially consisteth. Let no one therefore wonder if, of all earthly benefits my Creator hath bestowed on me, I do most esteem my liberty. Anarchy, indeed, I deprecate, but tyranny infinitely more. The reason is obvious; the former, like a common surfeit, occasioned by an irregular and intemperate indulgence of the bodily appetites, if but a little helped by simple medicine, will almost always, as I may say, cure itself; whereas the latter, like a devouring cancer, the longer it is let alone, without the application of violent caustics, the faster and deeper it will root itself into the frame, until it gnaws out the very life of the body. Government is neither of these: it is an ordinance of Heaven to restrain

the usurpations of wicked men, to secure us the enjoyments of our natural rights, and to promote the highest political interests and happiness of society. The claims therefore of the British parliament of a power to bind us in all cases whatsoever; to give away our property, in what measure and for what purposes they please, and to dispose of our lives as they think proper, when we have no voice in the legislation nor constitutional power allowed us to check their most violent proceedings, are not of the nature of government, but in the true and strict sense of the word *tyranny*.

Of the tendency and operation of this diabolical system, our country hath already had too deep and affecting experience not to be sensible of them; and it requires not the spirit of supernatural prophecy to foretel the end of them, should they not be seasonably controled; controled, did I say? blest be the spirit of American liberty, wisdom and valor! they have been controled; but, my friends, it is evident we can never have safety, liberty, and peace, until, by an unremitting and vigorous application of the axe, now laid to the root of the tree, we have totally overturned, in these colonies, the power that would demolish us. Not to speak of the unwearied art and assiduity of the

these twelve years past, to fasten on us the shackles of slavery, let me only remind you of the base and cruel measures to subjugate us, since we have been obliged to take up arms in our defence: what stone have they left unturned? what device to ruin us, though never so mean, barbarous and bloody, such as no heart, but that of a devil and a tyrant, can refrain shuddering at, have they not pursued? have not several of the powers of Europe been meanly courted and bribed not to supply us with means of resistance? hath not the most barbarous nation in it been applied to, to assist them with at least 20,000 savages to complete their intended massacre? have they not attempted to spirit up the Indian savages to ravage our frontiers, and murder, after their inhuman manner, our defenceless wives and children? have not our negro slaves been enticed to rebel against their masters, and arms put into their hands to murder them? have not the king of England's own slaves, the Hanoverians, been employed? and were not the poor Canadians made slaves, that they might be made fit instruments, with other slaves and savages, to make slaves and more wretched beings than savages of us?

Now, what kind of reconciliation can be reasonably expected with a

industriously, and obstinately bent on our destruction? in short, we have no alternative left us, but to fight or die; if there be any medium, it is slavery; and ever cursed be the man who will submit to it! I will not. But who would ever have imagined, that a people who, a few years ago, assisted their brethren of Great Britain, with their blood and treasure, to humble the power of France and Spain, and who, from their first existence as a people, have, by their trade and industry, been enriching and exalting them above all the nations of the world; who, I say, would have imagined that this very people should, by these their very brethren, be now reduced to so dreadful an alternative; yet, hear, O Heavens, and give ear, O Earth, and bear witness, this is the return we have received for all our love, loyalty, industry, treasure and blood!

Had we begun this quarrel, had we demanded some new privileges, unknown to the constitution, or some commercial licences, incompatible with the general interest of the empire, had we presumed to legislate for Great Britain, or plotted with the Bourbon family, to reinstate the execrable race of the Stuarts, and fled to arms unprovoked to accomplish these designs, there would then be some plausible apology for the severest hostile treatment we have received. But what have we done? when alarmed, ere we had yet rested from the toils of the last war, by new unconstitutional demands of revenue, we asserted our rights and petitioned for justice. Was this a crime? as unconstitutional statutes of different forms were repeatedly enacted, we repeated our petitions for redress; was this a crime? we suffered ourselves to be insulted by the introduction of an armed force to dragoon us into obedience; we suffered them to take possession of our towns and fortifications, still waiting with decent and anxious expectation from the wonted justice, humanity, and generosity of Britons: was this a crime? disposed to try every pacific measure which might probably procure our relief, we agreed to withhold our commerce from them, in hopes that, feeling the effects of their injustice, they might see how ruinous their proceedings were to their own interests, and return in time to wisdom and peace: was this a crime? nor did we once lift the sword even in our defence, until provoked to it by a wanton commencement of hostilities on their part: what then have we done to merit such cruel proceedings? my friends, I am firmly persuaded, that no truth will appear in future history, with more glaring evidence, than that the whole mass of guilt contracted by this unnatural war lieth at the door of ; and so that,

not only all future generations of men, but the Great Judge of all the earth, will finally condemn their measures as a scene of tyranny and murder. I therefore conceive myself as having taken up arms in defence of innocence, justice, truth, honesty, honor, liberty, property, and life; and in opposition to guilt, injustice, falsehood, dishonesty, ignominy, slavery, poverty, and death; not that I have any fondness for the bloody profession; not that I delight in the carnage of my species; or sigh for an occasion of proving my courage: Heaven and you are my witnesses, that my voice was some time, perhaps too long, and with too much earnestness, against any military preparations; but the times are altered; 'tis a dreadful necessity that calls me, and calls every man who can be spared from his other occupations.

I will not however fight as one who beateth the air. I speak plainly; I consider this year as the grand and final period of British administration in this American world; I see no probability of their proffering such terms as we can accept of consistently with our safety, honor, and peace; nay, should they grant all that our public councils have heretofore claimed, we should still be in a most dangerous situation, liable to renewed encroachments and renewed hostilities. What else can be supposed from such a situation, and from the views, temper, and prejudices that must, and will, prevail in the British court and parliament: besides, who in that case will reimburse our losses; or how shall our public debts be paid? I do solemnly declare, and that with respect to the best reconciliation that can reasonably be expected, with so corrupt, treacherous, and tyrannical an administration, that if I thought we should again revert to a dependence on Britain, I should, from this day, lay down my sword, and weep that I was born in America. But far other prospects are before us: glory, empire, liberty and peace, are, I am persuaded, unless we are lost to ourselves, very near at hand. And, on every consideration of the present state and progress of our public affairs, compared with the spirit of Britain, and the spirit, the interest, and the internal advantages of America, methinks, I hear a voice, as if an angel from Heaven should proclaim, "come out from among them, and be ye separate from them. Come out of her my people, that ye be not partakers of her sins, and ye receive not of her plagues."

[The preceding is copied from Almon's Remembrancer; we cannot supply the blanks. Words were used—no doubt, which the editor of that

work thought it dangerous to publish. The address appears to have been delivered about May, 1776. It may be worthy of remark here, that the declaration of independence is published in the same work, with many such blanks.]

*List of the forces on lake Champlain—October 1776.*  
ROYAL.

Ship Inflexible, lieut. Schank, 18 twelve pounders. Schooner Maria, lieut. Starke, 14 six pounders. Schooner Carleton, lieutenant Dacres, 12 six pounders. Radeau Thunderer, lieut. Scott, 6 twenty-four, 6 twelve pounders, 2 howitzers. Gondola Loyal Convert, lieut. Longcroft, 7 nine pounders. Twenty gun-boats, each a brass field piece, some twenty-fours to nines, some with howitzers. Four long-boats, with each a carriage gun, serving as armed tenders. Twenty-four long boats with provisions.

CONTINENTAL.

Schooner Royal Savage, 8 six pounders, and 4 four pounders, burnt the 11th of October, at Valcour. Schooner Revenge, 4 six pounders, and four, escaped to Ticonderoga the 13th October. Sloop ———, 10 four pounders, escaped to ditto the 13th of October. Cutter Lee, 1 nine pounder in her bow; 1 twelve pounder in her stern, and 2 six pounders in her sides; abandoned the 13th of October. Galley Congress, 2 eighteen pounders in her bow, 2 twelve pounders in her stern, and 6 six pounders in her sides; run on shore and burnt the 13th of October. Galley Washington, 1 eight and 1 twelve pounder in her bow, 2 nine pounders in her stern, and 6 six pounders in her sides; taken the 13th of October. Galley Trumbull, like the Washington, escaped to Ticonderoga the 13th October. Eight Gondolas, carrying 1 eight pounder in the bow, and 2 nine pounders in the sides; some of these had 4 guns in their sides—one taken the 12th, one sunk the 11th, four burnt the 13th; one escaped, and one missing. Schooner ———, taken from major Skeene, was gone for provisions. Galley Gates, expected to join them in a few days.

*A list of the seamen detached from his majesty's ships and vessels in the river St. Lawrence, to serve on lake Champlain.*

Isis, 100 seamen; Blonde, 70; Triton, 60; Garland, 30; Canceaux, 40; Magdalen, Brunswick, Gaspee 18 seamen each; Treasury, and armed brig, 90 men each.

Province armed vessels—Fell, 30, lately wrecked; Charlotte, 9; volunteers from no ship, 9; ditto

from the transports, 214. Total, 670; exclusive of 8 officers, and 19 petty officers.

SCARCITY OF SALT.

*In convention for the state of Pennsylvania, Saturday, August 24, 1776.*

Whereas, it appears to this convention, upon due enquiry and information of the circumstances, that the salt now in this city, has been imported at low prices, and under moderate insurance. And whereas, divers persons, in contempt of the just and wholesome regulations of the committee, &c. of Philadelphia, under directions of congress, have continued to dispose of their salt at most exorbitant prices, to the great grievance and distress of their fellow subjects of this state: it is therefore resolved, That the said regulations be hereby confirmed, and all persons whatever, are hereby strictly enjoined to pay due obedience thereto. And the said committees are authorized and directed to seize, and take into their possession, the salt belonging to such persons as have refused, or shall refuse, conformity to the regulations so established: or shall altogether withhold, or refuse to sell their salt during the continuance of such regulations, allowing to the said persons, upon the sale thereof, the fixed and settled prices, first deducting the expenses incurred upon the sale.

And whereas, it is but reasonable that every part of this extensive state should be accommodated, as nearly as may be, with their proportion of this article, so justly esteemed a necessary of life:

*Be it resolved,* That the committee of Philadelphia are hereby farther directed to distribute the salt, that may, as aforesaid, come into their possession, in equal quantities in the several counties, having regard to the reputed number of the inhabitants contained in the said counties.

Extract from the minutes,

JOHN MORRIS, Jun. Sec.

*Fragment of a speech in the general congress of America—1776. [Names of the speakers unknown.]*

Upon a motion to resolve, 'That all Scotch prisoners be treated with the utmost severity, as the rancorous abettors of this inhuman war, which has originated in Scotch principles, and from Scotch councils.'

The mover of this resolution prefaced and enforced it by a review of public transactions, both respecting England and America, since the commencement of the present reign. He shewed they had been a series of violent grievances, followed

by ineffectual complaints and petitions for redress. He enumerated the multitude of addresses from every part of Scotland for the blood of the Americans. He stated the general zeal and alacrity of that people in and out of parliament, and in Great Britain and America, for the destruction and subjugation of the colonies. He reminded them of the treachery and uncontrollable enmity of the Scotch against them, recently experienced in the provinces of New York, Virginia, and the Carolinas; where, in direct violation of every principle of gratitude, and of their faith expressly pledged, they had joined the enemy, and openly attempted, by taking up arms, to destroy the liberties of those who had generously guaranteed theirs.

To this, a southern delegate replied, after some general observations, nearly in the following words:

It is impossible, sir, not to feel the justice of the honorable mover's zeal and resentment. The facts upon which they are founded, unhappily for humanity, are not to be denied. I myself stand here as one of the representatives of the colony, which has experienced every effort of Scotch violence, perfidy, and ingratitude. They petitioned to be protected in a neutrality during these unhappy commotions. They pledged their faith, in the most solemn manner, that they would not aid or inform those who might appear in arms against us. Upon these terms, neutrality was indulged; protection was given them. They enjoyed it till our enemies appeared, and instantly took up arms for our destruction. That Providence, in whom the justice of our cause inspires confidence, enabled us to defeat their purposes. They remained, in consequence, at our mercy; yet we exercised no greater act of severity, than that which was unavoidable—the obliging them to quit a colony, to which it was plain they were irreclaimably hostile.

In the other colonies, they have manifested a similarly unprincipled enmity and rancour against the lives and liberties of a people, who, in a peculiar manner, have been profitable to them, and to their country. As they have thus distinguished themselves for ingratitude and hostility to us, they seem to merit a severity of treatment as distinguished.

But, sir, let us remember, that we are engaged in a general war. Not in a war with Scotland, but with Great Britain. To general objects, general rules are applicable. Such a selection for severity, would savor more of the vengeance of individuals, than of public justice. We are contend-



ing in the noblest cause that can enlarge and exalt the human heart. Let the magnanimity of our conduct be proportioned to the nobleness of our pursuits. We are now forming a national character. Spite of the misrepresentations of our enemies, the truth will at length prevail. Like the glorious sun, it will be more splendid from the cloud that has obscured it. Let us then take care, that, when it does come forth, it may be the wonder of nations. Let us mould it; not on the demerits of our enemies, but on our own dignity.—Let generosity, justice, and humanity, be the illustrious characteristics of the states of America.

He ended with these lines from *Cæsar's* speech, in *Sallust*:

Item bellis punicis omnibus, cum sæpe Carthaginiensis et in pace, et per inducias, multa nefaria facinora fecissent, nunquam majores nostri, per occasionem talia fecere; magis quid se dignum foret, quamquid in illis jure fieri posset, quærebant. Hoc idem providendum est, patres conscripti, ne plus valeat apud vos, Publii Lentuli et cæterorum acelus, quam vestra dignitas; neu magis ira quam famæ consulatis.

The motion was immediately rejected.

#### INSURANCE.

*London, Nov. 1776.*—The great number of captures, raised the insurance on vessels homeward bound, from the West Indies, to twenty-three per cent. The losses upon the West India trade, amount, at this time, to sixty-six per cent. viz.]

Insurance,	£ 23
Fall in price of rum and sugars, owing to the North American demand being cut off.	11
One fourth of the ships taken,	25
Delays to market,	7
	£ 66

*New London, (Con.) Aug. 23, 1776.*—By means of the great number of prizes carried into the different ports of this continent, Jamaica rum is sold at 4s. 4d. per gallon, by the hogshead; and sugar at five dollars per hundred weight, in Boston.

*Boston, Nov. 14, 1776.*

*To the Independent Sons in Massachusetts state.*

"Our bless'd forefathers," is the grateful sound,  
From age to age, the world will echo round!  
And every future tongue that speaks your name,  
Will brighten the hours with your growing fame.

Our losses this year are small, when compared with the advantages we have gained, and it would be extreme folly, even in the weakest American,

to suppose our cause did not continue to rise.—The complete triumph of liberty, undoubtedly draws nearer every hour. When we review the state of America, and that of our enemy, we behold eminent and growing advantages on the part of our country. The valor and discipline of our troops are constantly improving, as every late action with the enemy testifies; this circumstance, considered with that of our superior numbers, affords a bright prospect of success. It was always supposed, that the enemy would have the greatest advantage in the beginning of the war, and it must be acknowledged, (with gratitude to Heaven) that they have done much less, and our success has been much greater, than might have been expected. At this period, we have so many experienced men of tried valor, such magazines of warlike stores, such a military system formed, such a disciplined militia, (as no other nation can produce), and such an union and fervor of spirit in support of the righteous cause of our country, as must damp the malevolent spirit of our enemies, and give vigor to every virtuous mind. When we survey our naval department, such are our preparations, such our amazing progress in fitting out armed vessels, and so wonderful our success in taking the ships, the persons, and the riches of the enemy, that even our antagonists are almost ready to exclaim, "God is on that side!"

Another happy circumstance in our favor, is the fruitful season and plentiful harvest with which Heaven hath blessed our country. In truth, so numerous are the favors of Providence, and so encouraging our prospect of success, that we have much greater cause for *thanksgiving* than for petitioning; and it is unmanly, unchristian, and unworthy of any free mind, to discover the least degree of timidity. Our difficulties and sufferings, in supporting the great cause of liberty, have been little, if compared with what other nations have suffered in defence of their freedom. The Switzers fought sixty battles in defending their liberties, and finally, drove all the murdering tyrants out of their country, set up *independent states*, and have flourished in freedom to this day, in spite of all the tyrants in Europe. They are a striking proof of the superior virtue and strength of a free people, for their whole country is not larger than the Massachusetts state, not half so fruitful, nor any ways comparable for happiness of situation, and commercial advantages. What then may not the United States of America accomplish? We may rationally suppose, upon a survey of the present state of all nations, that these

United States will make swifter progress in arts and sciences, and in all that adorns and dignifies human society, than any people or nation ever yet have done.

The tyrants of Britain, and the abject slaves whom they can hire, are all the enemies we have to encounter; the rest of the world will be our friends. As we wish to injure no people, other nations will naturally be our friends, some from interest, and others, whose interest is no ways concerned, from motives of humanity. As America is so very extensive, capable of supporting so many millions of inhabitants, more than she has at present; and as the virtuous part of mankind love freedom, they will transplant themselves from the slavish dominions of Europe, to this land of liberty, whereby the industry, the virtue, and the wisdom of the world will centre in these free and independent states. Such being our field of hope, such our prospect of happiness, not only for ourselves, but for millions of others, by what name shall we call that folly which would abate your ardor, and discourage your efforts, to maintain the entire independence of America?

*The following was thought to be a pretty accurate state of the provincial forces in May, 1776.*

In Canada, 9000 continental troops; commanded by major general Sullivan, and brigadiers Arnold and Wædkle. The generals Schuyler and Wooster are at Albany, with a body of militia, number not exactly known.

At New York, 12,000 continental, troops 11,000 militia, and the Jersey brigade consisting of 3300 commanded by general Washington, major generals Putnam, and Gates, and brigadiers Heath, Green, lord Sterling, Waterbury, and Mercer.

In Jersey and Pennsylvania, a flying camp of 10,000 men, commanded by brigadiers Miffin, Deau, and Johnson.

In Virginia, 8000 continental troops. In North Carolina 4000 ditto. South Carolina 1000 ditto. Commanded by major general Lee, brigadiers Armstrong, Howe, Moore, and Lewis.

At Boston, 2000 continental troops, commanded by major general Ward, and brigadier general Spencer.

By this account there were 36,000 continental troops, and 24,300 militia, ready for, and in the field; but there are 20,000 more of the militia, the stations of which are not exactly known. In all above 80,000 men.

— 55.

EXPENSE OF THE AMERICAN CONTINENTAL ARMY.  
STAFF—[STERLING MONEY.]

	per diem.	
	l.	s. d.
Commander in chief, general } Washington, (for table) }	2	0 0
4 Aids-de-camp, 4s. 6d. each	18	0
1 Adjutant general,	18	
1 Quarter master general,	12	
1 Assistant quarter master general,	4	6
1 Pay master general,	13	6
6 Majors brigade, 4s. 6d.	7	
Secretary to commander in chief	9	6
Directors of hospitals,	18	
		8 0 6
4 Surgeons, 6s.	1	4
1 Apothecary,	6	
2 Mates, and 1 clerk, 3s.	9	
1 Commissary general,	12	
2 Major generals under commander in chief, 24s. 9d.	2	9 6
4 Aid-de camps, 4s. 6d.	18	
6 Brigadier generals, 18s. 9d.	5	12 6
1 Engineer,	9	
4 Sub-engineers, 4s. 6d.	18	
4 Major generals, com- manding separate armies, 49s. 6d.	9	18
8 aid-de-camps, 4s. 6d.	1	16
8 Majors brigade, 4s. 6d.	1	16
4 Secretaries, 4s. 9d.	19	
4 Deputy adjutant gene- rals, 9s. 4½d.	1	17 6
4 Deputy quarter master generals, 6s.	1	4
4 Deputy commissary ge- nerals, 6s.	1	4
8 Sub-engineers, 4s. 6d.	1	16
9 Brigadier generals, 18s. 9d.*	8	8 5
		41 17 0
60 REGIMENTS.		
60 Colonels, 13s. 6d.	40	10
60 Lieutenant colonels, 9s.	27	
60 Majors, 6s.	18	
540 Captains, 4s. 6d.	121	10
1080 Lieutenants, 3s.	162	
540 Ensigns, 2s.	54	
2160 Serjeants, 1s. 3d.	135	
2160 Corporals, 1s. 1d.	117	
540 Drums, 1s. 1d. and 540 fifes, 1s. 1d.	58	10
30600 Privates, 1s.	1530	
(Chaplains, surgeons, and surgeon's mates, not included)		2263 10
		2313 8 6
FLYING CAMP.		
14 Colonels, 13s. 6d.	9	9
14 Lieutenant colonels, 9s.	6	6
14 Majors, 6s.	4	4
128 Captains, 4s. 6d.	28	16
256 Lieutenants, 3s.	38	8
		87 3 0
Carried over.		2400 11 7

\*Including Thompson, who is prisoner.

Watertown, Nov. 20.

## A PROCLAMATION FOR A PUBLIC THANKSGIVING.

Although, in consequence of the unnatural, cruel, and barbarous measures, adopted and pursued by the British administration, great and distressing calamities are brought upon our distressed country, and in this colony in particular; we feel the dreadful effects of a *civil war*, by which, America is stained with the blood of her valiant sons, who have bravely fallen in the laudable defence of our rights and privileges; our *capital*, once the *seat of justice*, opulence and virtue, is unjustly wrested from its proper owners, who are obliged to flee from the iron hand of tyranny, or held in the unrelenting arms of oppression; our seaports greatly distressed, and towns burnt by the foes who have acted the part of barbarous incendiaries.—And, although the wise and Holy Governor of the world has, in his righteous Providence, sent droughts into this colony, and wasting sickness into many of our towns, yet we have the greatest reason to adore and praise the Supreme Disposer of events, who deals infinitely better with us than we deserve; and amidst all his judgments, hath remembered mercy, by causing the voice of health again to be heard amongst us; instead of famine, affording to an ungrateful people a competency of the necessities and comforts of life; in remarkably preserving and protecting our troops, when in apparent danger, while our *enemies*, with all their *boasted* skill and strength, have met with *loss, disappointment, and defeat*;—and, in the course of his good Providence, the Father of all Mercies, hath bestowed upon us many other favors, which call for our grateful acknowledgments:

Therefore—We have thought fit, with the advice of the council and house of representatives, to appoint Thursday, the 23d of November, instant, to be observed as a day of public *thanksgiving*, throughout this colony; hereby calling upon ministers and people, to meet for religious worship on the said day, and *devoutly* to offer up their unfeigned praises to Almighty God, the source and benevolent bestower of all good, for his affording the necessary means of subsistence, though our commerce has been prevented, and the supplies from the fishery denied us;—that such a measure of health is enjoyed among us; that the lives of our officers and soldiers have been so remarkably preserved, while our enemies have fallen before them; that the vigorous efforts, which have been used to excite the savage vengeance of the wilderness, and rouse the Indians to arms, that an unavoidable

destruction might come upon our frontiers, have been almost miraculously defeated; that our unnatural enemies, instead of ravaging the country with uncontrolled sway, are confined within such narrow limits, to their own mortification and distress, environed by an *American army, brave and determined*;—that such a band of union, founded upon the best principles, unites the American colonies,—that our rights and privileges, both civil and religious, are so far preserved to us, notwithstanding all the attempts of our barbarous enemies to deprive us of them.

And to offer up humble and fervent prayers to Almighty God, for the whole British empire, especially for the *united American colonies*:—That He would bless our civil rulers, and lead them into wise and prudent measures, at this dark and difficult day; that He would endow our general court with all that wisdom which is profitable to direct; that He would graciously smile upon our endeavors to restore peace, preserve our rights and privileges, and hand them down to posterity; that He would give wisdom to the American congress, equal to their important station; that He would direct the generals, and the American armies, wherever employed, and give them success and victory; that He would preserve and strengthen the harmony of the *united colonies*; that He would pour out his spirit upon all orders of men, through the land, bring us to a hearty repentance and reformation; purify and sanctify all His churches; that he would make ours, Emanuel's land; that He would spread the knowledge of the Redeemer through the whole earth, and fill the world with his glory.

And all servile labor is forbidden on said day.

Given under our hands, at the council chamber, in Watertown, the fourth day of November, in the year of our Lord, one thousand seven hundred and seventy-five.

By their honors command,

PEREZ MORTON, Dep. Sec.

James Otis,	Benjamin Lincoln,
Walter Spooner,	Michael Farley,
Caleb Cushing,	Joseph Palmer,
Joseph Whitcomb,	Samuel Holten,
Jedidiah Foster,	Jabez Fisher,
James Prescott,	Moses Gill,
Eldad Taylor,	Benjamin White.

GOD SAVE THE PEOPLE.

The following text passed the assembly of Massachusetts in 1776.

"We the subscribers do each of us severally for ourselves profess, testify and declare, before God and the world, that we verily believe that

the war, resistance and opposition in which the United American Colonies are now engaged against the fleets and armies of Great Britain, is on the part of the said colonies, just and necessary; and we do hereby severally promise, covenant and engage to and with every person of this colony, who has or shall subscribe this declaration, or another of the same tenor and words, that we will not, during the said war, directly or indirectly, in any ways aid, abet, or assist any of the naval or land forces of the king of Great Britain, or any employed by him, or supply them with any kind of provisions, military or naval stores, or hold any correspondence with, or communicate any intelligence to any of the officers, soldiers or mariners belonging to the said army or navy, or enlist or procure any others to enlist into the land or sea service of Great Britain, or take up or bear arms against this or either of the United Colonies, or undertaking to pilot any of the vessels belonging to the said navy, or any other way aid or assist them; but on the contrary, according to our best power and abilities, will defend by arms the United American Colonies, and every part thereof, against every hostile attempt of the fleets and armies in the service of Great Britain, or any of them, according to the requirements and directions of the laws of this colony, that now or may hereafter be provided for the regulation of the militia thereof."

*Copy of a letter to his excellency general Gage, from the hon. Jonathan Trumbull, esq. governor of the colony of Connecticut, in behalf of the general assembly of said colony, dated*

HARTFORD, April 28, 1775.

SIR—The alarming situation of public affairs in this country, and the late unfortunate transactions in the province of Massachusetts Bay, have induced the general assembly of this colony, now sitting in this place, to appoint a committee of their body to wait upon your excellency, and to desire me, in their name, to write to you relative to these very interesting matters.

The inhabitants of this colony are intimately connected with the people of your province, and esteem themselves bound, by the strongest ties of friendship, as well as of common interest, to regard with attention, whatever concerns them. You will not, therefore, be surprised, that your first arrival at Boston, with a body of his Majesty's troops, for the declared purpose of carrying into execution certain acts of parliament, which, in their apprehension, were unconstitutional and oppressive,

would have given the good people of this colony a just and general alarm; your subsequent proceedings in fortifying the town of Boston, and other military preparations, greatly increased the apprehensions for the safety of their friends and brethren; they could not be uninterested spectators of their sufferings, in that which they esteemed the common cause of this country; but to late hostile and secret inroads of some of the troops under your command, into the heart of the country, and the violences they have committed, have driven them almost into a state of desperation. They feel now not only for their friends, but for themselves, and their dearest interests and connections. We wish not to exaggerate; we are not sure of every part of our information; but, by the best intelligence that we have yet been able to obtain, the late transaction was a most unprovoked attack upon the lives and property of his majesty's subjects; and it is represented to us, that such outrages have been committed, as would disgrace even barbarians, and much more Britons, so highly famed for humanity, as well as bravery. It is feared, therefore, that we are devoted to destruction, and that you have it in command and intention, to ravage and desolate the country. If this is not the case, permit us to ask, why have these outrages been committed? Why is the town of Boston now shut up? And to what end are all the hostile preparations that are daily making, and why do we continually hear of fresh destination of troops for his country? The people of this colony, you may rely upon it, abhor the idea of taking arms against the troops of their sovereign, and dread nothing so much as the horrors of civil war; but, at the same time, we beg leave to assure your excellency, that as they apprehend themselves justified by the principles of self defence, so they are most firmly resolved to defend their rights and privileges to the last extremity; nor will they be restrained from giving aid to their brethren, if any unjustifiable attack is made upon them. Be so good, therefore, as to explain yourself upon this most important subject, as far as is consistent with your duty to our common sovereign. Is there no way to prevent this unhappy dispute from coming to extremities? Is there no alternative but absolute submission, or the desolations of war? By that humanity which constitutes so amiable a part of your character; for the honor of our sovereign, and by the glory of the British empire, we entreat you to prevent it, if it be possible; surely, it is to be hoped that the temperate wisdom of the empire might, even yet, find expedients to restore peace, that so

all parts of the empire may enjoy their particular rights, honors, and immunities: Certainly, it is my most devout wish to be wished, and will it not be consistent with your part, and enable us on operation of war on the part, and enable us on ours, to quiet the minds of the people, at least, till the result of some further deliberations may be known. The importance of the occasion will, we doubt not, sufficiently apologize for the earnestness with which we address you, and any seeming impropriety which may attend it, as well as induce you to give us the most explicit and favorable answer in your power.

I am, with great esteem and respect, in behalf of the general assembly, sir, &c.

(Signed) JONATHAN TRUMBULL.

His excellency, THOMAS GAGE, esq.

*His excellency general Gage's answer to the foregoing letter, dated*

*Boston, May 3, 1775.*

SIR:—I am to acknowledge the receipt of your letter of the 28th of April last, in behalf of the general assembly of your colony, relative to the alarming situation of public affairs in this country, and the late transactions in this province: that this situation is greatly alarming, and that these transactions are truly unfortunate, are truths to be regretted by every friend to America, and by every well-wisher for the peace, prosperity, and happiness of this province. The intimate connection, and strong ties of friendship between the inhabitants of your colony, and the deluded people of this province, cannot fail of inducing the former to interpose their good offices, to convince the latter of the impropriety of their past conduct, and to persuade them to return to their allegiance, and to seek redress of any supposed grievances, in those decent and constitutional methods in which alone they can hope to be successful.

That troops should be employed for the purpose of protecting the magistrates in the execution of their duty, when opposed with violence, is not a new thing in the English, or any other government: that any acts of the British parliament are unconstitutional or oppressive, I am not to suppose; if any such there are, in the apprehension of the people of this province, it had been happy for them if they had sought relief, only in the way which the constitution, their reason, and their interest, pointed out.

You cannot wonder at my fortifying the town of Boston, or making any other military reparations,

when you are assured, that previous to my taking these steps, such were the open threats, and such the warlike preparations throughout this province, as rendered it my indispensable duty to take every precaution in my power, for the protection of his majesty's troops under my command, against all hostile attempts. The intelligence you seem to have received, relative to the late excursion of a body of troops into the country, is altogether injurious and contrary to the true state of facts; the troops disclaim, with indignation, the barbarous outrages of which they are accused, so contrary to their known humanity. I have taken the greatest pains to discover if any were committed, and have found examples of their tenderness, both to the young and the old, but no vestige of cruelty or barbarity: It is very possible, that in firing into houses, from whence they were fired upon, that old people, women, or children, may have suffered, but if any such thing has happened, it was in their defence, and undesigned. I have no command to ravage and desolate the country, and were it my intention, I have had pretence to begin it upon the sea ports, who are at the mercy of the fleet. For your better information, I inclose you a narrative of that affair, taken from gentlemen of indisputable honor and veracity, who were eye witnesses of all the transactions of that day. The leaders here have taken pains to prevent any account of this affair getting abroad, but such as they have thought proper to publish themselves; and to that end, the post has been stopped, the mails broke open, and letters taken out; and, by these means, the most injurious and inflammatory accounts have been spread throughout the continent, which has served to deceive and inflame the minds of the people.

When the resolves of the provincial congress breathed nothing but war, when those two great and essential prerogatives of the king, the levying of troops, and disposing of the public monies, were wrested from him; and when magazines were forming by an assembly of men, unknown to the constitution, for the declared purpose of levying war against the king, you must acknowledge, it was my duty, as it was the dictate of humanity, to prevent, if possible, the calamities of civil war, by destroying such magazines. This, and this alone, I attempted. You ask, why is the town of Boston now shut up? I can only refer you, for an answer, to those bodies of armed men, who now surround the town, and prevent all access to it. The hostile preparations you mention, are such as the conduct of the people of this province has rendered



it prudent to make, for the defence of those under my command.

You assure me, the people of you colony abhor the idea of taking arms against the troops of their sovereign; I wish the people of this province, for their own sakes, could make the same declaration. You enquire, is there no way to prevent this unhappy dispute from coming to extremities? Is there no alternative but absolute submission, or the desolations of war? I answer, I hope there is; the king and parliament seem to hold out terms of reconciliation, consistent with the honor and interest of Great Britain, and the rights and privileges of the colonies; they have mutually declared their readiness to attend to any real grievances of the colonies, and to afford them every just and reasonable indulgence, which shall, in a dutiful and constitutional manner, be laid before them; and his Majesty adds, it is his ardent wish that this disposition may have a happy effect on the temper and conduct of his subjects in America: I must add likewise, the resolution of the 27th of February, on the grand dispute of taxation and revenue, leaving it to the colonies to tax themselves, under certain conditions; here is surely a foundation for an accommodation, to people who wish a reconciliation, rather than a destructive war, between countries so nearly connected, by the ties of blood and interest; but I fear, that the leaders of this province have been, and still are, intent only on shedding blood.

I am much obliged, by your favorable sentiments, of my personal character, and assure you, as it has been my constant wish and endeavor hitherto, so I shall continue to exert my utmost efforts to protect all his majesty's liege subjects under my care, in their persons and property. You ask, whether it will not be consistent with my duty, to suspend the operations of war, on my part? I have commenced no operations of war but defensive; such you cannot wish me to suspend, while I am surrounded by an armed country, who have already begun, and threaten farther to prosecute an offensive war, and are now violently depriving me, the king's troops, and many other of the king's subjects, under my immediate protection, of all the conveniences and necessities of life, with which the country abounds; but it must quiet the minds of all reasonable people, when I assure you that I have no disposition to injure and molest quiet and peaceable subjects; but on the contrary, shall esteem it my greatest happiness to defend and protect them against every species of violence and oppression.—I am, sir, &c.

(Signed)

THOMAS GAGE.

*Letter from the committee of New York, to the lord mayor, aldermen, and common council of London, laid before the court of common council by the mayor, on the 23rd of June, 1775.*

COMMITTEE CHAMBER,  
NEW-YORK, May 5, 1775. }

*My lord and gentlemen*—Distinguished as you are, by your noble exertions in the cause of liberty, and deeply interested in the expiring commerce of the empire, you necessarily command the most respectful attention. The general committee of association, for the city and county of New York, beg leave, therefore, to address you, and the capital of the British empire, through its magistrates, on the subject of American wrongs. Born to the bright inheritance of English freedom, the inhabitants of this extensive continent, can never submit to the ignominious yoke, nor move in the galling fetters of slavery. The disposal of their own property, with perfect spontaneity, and in a manner wholly divested of every appearance of constraint, is their indefeasible birthright. This exalted blessing, they are resolutely determined to defend with their blood, and transfer it, uncontaminated, to their posterity.

You will not, then, wonder at their early jealousy of the design, to erect in this land of liberty, a despotism scarcely to be paralleled in the pages of antiquity, or the volumes of modern times; a despotism, consisting in power, assumed by the representatives of a part of his majesty's subjects, at their sovereign will and pleasure, to strip the rest of their property;—and what are the engines of administration to execute this destructive project? The duty on tea; oppressive restraints on the commerce of the colonies; the blockade of the port of Boston; the change of internal police in the Massachusetts, and Quebec; the establishment of popery in the latter; the extension of its bounds; the ruin of our Indian commerce, by regulations calculated to aggrandize that arbitrary government; unconstitutional admiralty jurisdiction throughout the colonies; the invasion of our right to a trial, in the most capital cases, by a jury of the vicinage; the horrid contrivance to screen from punishment the bloody executioners of ministerial vengeance; and not to mention the rest of the black catalogue of our grievances, the hostile operations of an army, who have already shed the blood of our countrymen. The struggles excited by the detestable stamp act, have so lately demonstrated to the world, that Americans will not be slaves; that we stand astonished at the gross impolicy of the minister.—Recent experience had evinced, that the possessors

of this extensive continent would never submit to a tax, by pretext of legislative authority in Britain; disguise, therefore, became the expedient. In pursuit of the same end, parliament declared their absolute supremacy in attempting to raise a revenue, under the specious pretence of providing for their good government and defence. Administration, to exhibit a degree of moderation, purely ostensible and delusory, while they withdrew their hands from our most necessary articles of importation, determined with an eager grasp to hold the duty on tea, as a badge of their taxative power. Zealous on our part, for an indissoluble union with the parent state, studious to promote the glory and happiness of the empire, impressed with a just sense of the necessity of a controlling authority to regulate and harmonize the discordant commercial interests of its various parts; we cheerfully submit to a regulation of commerce, by the legislature of a parent state, excluding, in its nature, every idea of taxation.

Whither, therefore, the present machinations of arbitrary power infallibly tend, you may easily judge; if unremittedly pursued, as they were inhumanly devised, they will, by a fatal necessity, terminate in a total dissolution of the empire.

The subjects of this country will not, we trust, be deceived by any measures conciliatory in appearance, while it is evident that the minister aims at a sordid revenue, to be raised by grievous and oppressive acts of parliament, and by fleets and armies employed to enforce the execution. They never will, we believe, submit to an auction on the colonies, for the more effectual augmentation of the revenue, by holding it up as a temptation to them, that the highest bidder shall enjoy the greatest share of government favor. This plan, as it would tend to sow the seeds of discord, would be far more dangerous than hostile force, in which we hope the king's troops will ever be, as they have already been, unsuccessful. Instead of those unusual, extraordinary, and unconstitutional modes of procuring levies from the subjects, should his Majesty graciously be pleased, upon suitable emergencies, to make requisitions in ancient form, the colonies have expressed their willingness to contribute to the support of the empire—but to contribute of their voluntary gift, as Englishmen; and when our unexampled grievances are redressed, our prince will find his American subjects testifying, on all proper occasions, by as ample aids as their circumstances will permit, the most unshaken fidelity to their sovereign, and inviolable attach-

ment to the welfare of his realm and dominion. Permit us further to assure you, that America is grown so irritable, by oppression, that the last shock, in any part, is by the most powerful and sympathetic affection, instantaneously felt through the whole continent. That Pennsylvania, Maryland, and New-York, have already stopped their exports to the fishing islands, and those colonies, which at this dangerous juncture, have refused to unite with their brethren in the common cause, and all supplies to the navy and army at Boston; and that probably the day is at hand, when our continental congress will totally shut up our ports.

The minions of power here, may now inform administration, if they can ever speak the language of truth, that this city is as one man in the cause of liberty; that to this end, our inhabitants are almost unanimously bound by the inclosed association; that it is continually advancing to perfection, by additional subscriptions; that they are resolutely bent on supporting their committee, and the intended provincial and continental congresses; that there is not the least doubt of the efficacy of their example in the other colonies: In short, that while the whole continent are ardently wishing for peace on such terms as can be acceded to by Englishmen, they are indefatigable in preparing for the last appeal. That such are the language and conduct of our fellow citizens, will be further manifested by a representation of the lieutenant governor and council of the 1st inst. to general Gage, at Boston, and to his Majesty's ministers by the packet. Assure yourselves, my lord and gentlemen, that we speak the real sentiments of the confederated colonies on the continent, from Nova Scotia to Georgia, when we declare, that all the horrors of a civil war, will never compel America to submit to taxation, by authority of parliament.

A sincere regard to the public weal, and the cause of humanity; in hearty desire to spare the further effusion of human blood; our loyalty to our prince, and the love we bear to all our fellow subjects in his majesty's realm and dominions; a full conviction of the warmest attachment in the capital of the empire, to the cause of justice and liberty, have induced us to address you on this momentous subject, confident that the same cogent motives will induce the most vigorous exertions of the city of London to restore union, mutual confidence, and peace to the whole empire.

We have the honor to be, my lord and gentlemen, your most obedient and affectionate fellow-subjects, and humble servants,

ISAAC LOW, Chairman.

John Jay, Frederick Lewis, John Alsop, Philip Livingston, James Duane, E. Duyckorck, William Seton, William W. Ludlow, Cornelius Clopper, Abm. Brinkerhoff, Henry Remsen, Robert Ray, Ever. Bancker, Joseph Totten, Abm. P. Lott, David Buckman, Isaac Roosevelt, Gabriel H. Ludlow, Wm. Walton, Daniel Phenix, Frederick Jay, Samuel Broome, Jno. De Lancey, Alexander M'Dougall, Jno. Reade, Joseph Bull, George Janeway, John White, Gab. W. Ludlow, John Laaser, Theoph. Anthony, Thomas Smith, Richard Yates, Oliver Templeton, Jacobus Van Landby, Jeremiah Platt, Peter S. Curtenius, Thos. Randall, Aug. V. Horne, Ab. Duryee, Samuel Verplanck, Rudolphus Ritzeman, John Morton, Joseph Hellett, Robert Benson, Abraham Brasher, Leonard Lispenard, Thomas Marstony, Nicholas Hoffman, P. V. B. Livingston, Lewis Pintard, John Imlay, Eleazer Miller, jun. John Broom, John B. Moore, Nicholas Bogert, John Anthony, Victor Bicker, William Goforth, Hercules Mulligen, Nich. Roosevelt, Corn. P. Low, Francis Bassett, James Beckman, Thomas Ivers, William Denning, John Berrien, Benjamin Helme, William W. Gilbert, Dan. Dunscomb, John Lamb, Rich. Sharp, John Morin Scott, Jacob Vandorstis, Comfort Sands, Edward Fleming, Lancaster Burling, Benj. Kissauv, Jacob Lefferts, Ant. Van Dane, Abraham Walton, Hamilton Young, Peter Goellet, Gerret Kitlettas, Thomas Buchanan, James Desbrosses, jun. Petrus Byvanck, Laurence Embren.

To the right honorable the lord mayor, the aldermen, and common council of the city of London.

NEW YORK, July 3, 1775.

The following address of the provincial congress of the colony of New York, was presented on the 26th ult. to his excellency George Washington, generalissimo of all the forces in the confederated colonies of America.

*"May it please your excellency:—*At a time when the most loyal of his majesty's subjects, from a regard to the laws and constitution, by which he sits on the throne, feel themselves reduced to the unhappy necessity of taking up arms to defend their dearest rights and privileges; while we deplore the calamities of this divided empire, we rejoice in the appointment of a gentleman, from whose abilities and virtue, we are taught to expect both security and peace.

*"Confiding in you, sir, and in the worthy generals immediately under your command, we have the most flattering hopes of success in the glorious*

*struggle for American liberty, and the fullest assurances, that whenever this important contest shall be decided, by that fondest wish of each American soul, an accommodation with our mother country, you will cheerfully resign the important deposit committed into your hands, and reassume the character of our worthiest citizen.*

By order,

P. V. B. LIVINGSTON, Pres't.

To the above address, his excellency returned the following answer:

*"Gentlemen:—*At the same time that with you I deplore the unhappy necessity of such an appointment, as that with which I am now honored, I cannot but feel sentiments of the highest gratitude for this affecting instance of distinction and regard.

*"May your warmest wishes be realized in the success of America, at this important and interesting period; and be assured, that every exertion of my worthy colleagues and myself, will be equally extended to the re-establishment of peace and harmony, between the mother country and these colonies: as to the fatal but necessary operations of war, when we assumed the soldier, we did not lay aside the citizen, and we shall most sincerely rejoice, with you, in that happy hour, when the establishment of American liberty, on the most firm and solid foundations, shall enable us to return to our private stations, in the bosom of a free, peaceful, and happy country.*

G. WASHINGTON."

*To the honorable the delegates elected by the several counties and districts within the government of New York, in colonial congress convened.*

The respectful address of the mechanics in union, for the city and county of New York, represented by their general committee.

*Elected delegates:—*With due confidence in the declaration which you lately made to the chairman of our general committee, that you are at all times ready and willing to attend to every request of your constituents, or any part of them; we, the mechanics in union, though a very inconsiderable part of your constituents, beg leave to represent, that one of the clauses in your resolve, respecting the establishment of a new form of government, is erroneously construed, and for that reason may serve the most dangerous purposes; for it is well known how indefatigable the emissaries of the British parliament are in the pursuit of every scheme which is likely to bring disgrace upon our



rulers, and ruin upon us all. At the same time we cheerfully acknowledge that the genuine spirit of liberty which animates the other part of that resolve, did not permit us to interpret it in any other sense than that which is the most obvious, and likewise the most favorable to the natural rights of man. We could not, we never can believe you intended that the future delegates, or yourselves, should be vested with the power of framing a new constitution for this colony; and that its inhabitants at large should not exercise the right which God has given them, in common with all men, to judge whether it be consistent with their interest to accept or reject a constitution framed for that state of which they are members. This is the birthright of every man to whatever state he may belong. There he is, or ought to be by inadmissible right, a legislator with all the other members of that community.

Conscious of our own want of abilities, we are, alas! but too sensible that every individual is not qualified for assisting in the framing of a constitution: but, that share of common sense which the Almighty has bountifully distributed amongst mankind in general, is sufficient to quicken every one's feeling, and enable him to judge rightly what degree of safety, and what advantages he is likely to enjoy, or be deprived of, under any constitution proposed to him. For this reason, should a preposterous confidence in the abilities and integrity of our future delegates, delude us into measures which might imply a renunciation of our inalienable right to ratify our laws, we believe that your wisdom, your patriotism, your own interest, nay, your ambition itself, would urge you to exert all the powers of persuasion you possess, and try every method which, in your opinion, could deter us from perpetrating that impious and frantic act of self-destruction; for, as it would precipitate us into a state of absolute slavery, the lawful power which, till now, you have received from your constituents, to be exercised over a free people, would be annihilated by that unnatural act. It might probably accelerate our political death; but it must immediately cause your own.

The continued silence of the bodies which are, by election, vested with an authority subordinate to that of your house, would strike us with amazement, should we suppose that, in their presence, your resolve ever was interpreted in a sense that was not favorable to the free exercise of our inalienable rights. But we, who daily converse with numbers who have been deceived by such

misconstruction, conceive that we ought to inform you in due time, that it has alarmed many zealous friends to the general cause which the United Colonies are defending with their lives and fortunes.

As the general opinion of your uprightness depends, in a great measure, on your explanation of that matter; and it being self-evident that the political happiness or misery of the people under your government, must be deeply affected by the measures which they may adopt in consequence of such explanation, we trust that you will receive this respectful address with indulgence, and that all our brethren in this, and the other colonies in the union, will do us the justice to believe, that it was dictated by the purest sentiments of unconfined patriotism.

The resolve which contains the obnoxious clause already mentioned, is, together with the introduction to it, in the following words, to wit:

"And whereas doubts have arisen, whether this congress are invested with sufficient power and authority to deliberate and determine on so important a subject as the necessity of erecting and constituting a new form of government and internal police, to the exclusion of all foreign jurisdiction, dominion and control whatever. And whereas it appertains of right, solely to the people of this colony to determine the said doubts. Therefore,

*Resolved*, That it be recommended to the electors in the several counties in this colony, by election in the manner and form prescribed for the election of the present congress, either to authorise, (in addition to the powers vested in this congress) their present deputies, or others in the stead of their present deputies, or either of them, to take into consideration the necessity and propriety of instituting such new government as in and by the said resolution of the continental congress is described and recommended: And if the majority of the counties, by their deputies in provincial congress, shall be of opinion that such new government ought to be instituted and established; then to institute and establish such a government as they shall deem best calculated to secure the rights, liberties, and happiness, of the good people of this colony, and to continue in force until a future peace with Great Britain shall render the same unnecessary."

We cannot forbear expressing our astonishment at the existence of the doubts alluded to in the introduction just quoted. But when in compassion to those weak minds which gave them birth, you

condescended to declare, that 'It appertains solely to the people of this colony to determine the said doubts;' you have in the spirit of the recommendations of the general congress, demonstrated to your constituents, that you will on all occasions warn them to destroy in its embryo, every scheme that you may discover to have the least tendency towards promoting the selfish views of any foreign or domestic oligarchy. Your enemies never can persuade people of reflection, that you fully instructed the most ignorant among us by such a positive declaration of our rights, for the purpose of surreptitiously obtaining our renunciation of them. Human nature, depraved as it is, has not yet, and we hope never will be guilty of so much hypocrisy and treachery.

We observe on the contrary, that your resolve is perfectly consistent with the liberal principle on which it is introduced; for after having set forth what relates to the election of deputies, you recommend to the electors, 'If the majority of the counties shall be of opinion that such new government ought to be instituted, then to institute and establish such a government.'

Posterity will behold that resolve as the test of their rectitude. It will prove that you have fully restored to us the exercise of our right, finally to determine on the laws by which this colony is to be governed; a right of which, by the injustice of the British government, we have till now been deprived. But a forced and most unnatural misconstruction, which is artfully put upon your resolve, has deceived many, who really believe that we will not be allowed to approve or reject the new constitution; they are terrified at the consequences, although a sincere zeal for the general cause inspire them to suppress their remonstrances, lest the common enemy should avail himself of that circumstance, to undermine your authority.

Impressed with a just fear of the consequences which result from that error, we conceive it would be criminal in us to continue silent any longer; and therefore we beseech you to remove by a full and timely explanation, the groundless jealousies which arise from a misconception of your patriotic resolve.

As to us, who do not entertain the least doubt of the purity of your intentions; who well know, that your wisdom could not suffer you to aim at obtaining powers, of which we cannot lawfully divest ourselves; which, if repeatedly declared by us, to have been freely granted, would only pro-

claim our insanity, and for that reason, be void of themselves; we beg leave, as a part of your constituents, to tender you that tribute of esteem and respect, to which you are justly entitled, for your zeal in so nobly asserting the rights which the people at large have to legislation; and in promoting their free exercise of those rights.

You have most religiously followed the lines drawn by the general congress of the United Colonies. Their laws, issued in the stile of recommendations, leave inviolate, in the conventions, the committees, and finally the people at large, the right of rejection or ratification. But though it be decreed by that august body, that the punishments of death shall, in some cases be inflicted, the people have not rejected any of their laws, nor even remonstrated against them. The reason of such general submission, is, that the whole of their proceedings is calculated to promote the greatest good to be expected from the circumstances which occasion their resolves, and scarcely admit the delays attending more solemn forms. The conduct of their constituents in this instance, clearly shews, what an unbounded confidence virtuous rulers may place in the sound judgment, integrity, and moderation of a free people.

Whatever the interested supporters of oligarchy may assert to the contrary, there is not, perhaps, one man, nor any set of men upon earth, who, without the special inspiration of the Almighty, could frame a constitution, which in all its parts, would be truly unexceptionable; by the majority of the people for whom it might be intended. And should God bless any man, or any set men, with such eminent gifts, that man, or those men, having no separate interest to support, in opposition to the general good, would fairly submit the work to the collective judgment of all the individuals who might be interested in its operation. These it is probable, would after due examination, unanimously concur in establishing that constitution. It would become their own joint work, as soon as the majority of them should have freely accepted it; and by its having received their free assent, the only characteristic of the true lawfulness and legality that can be given to human institutions, it would be truly binding on the people. Any other concurrence in the acts of legislation is illusory and tyrannical; it proceeds from the selfish principles of corrupt oligarchy: and should a system of laws appear, or even be good in every other respect, which is scarcely admissible, yet it would be imperfect. It could be lawfully binding on none but

the legislators themselves, and must continue in that state of imperfection which disgrace the best laws, now and then made in governments established on oligarchic principles, and deprives them of true legality. As such is the case with Great Britain herself, it is evident that her parliament are so far from having a lawful claim to our obedience, that they have it not to that of their own constituents; that all our former laws have but a relative legality, and that not one of them is lawfully binding upon us, though even now for the sake of common convenience, the operation of most of them be and ought to be tolerated, until a new system of government shall have been freely ratified by the collegiate power of the people, the sole lawful legislature of this colony. It would be an act of despotism to put it in force by any other means, which God avert! The people it is true might be awed, or openly forced to obey, but they would abhor the tyranny and execrate its authors. They would justly think that they were no longer bound to submit than despotism could be maintained by the same violent or artful means which would have produced its existence.

But the free ratification of the people will not be sufficient to render the establishment lawful, unless they exercise in its fulness an uncontrolled power to alter the constitution in the same manner that it shall have been received. This power necessarily involves that of every district, occasionally to renew their deputies to committees and congresses when the majority of such district shall think fit; and therefore, without the intervention of the executive, or any other power, foreign to the body of the respective electors, that right is so essential to our safety, that we firmly believe you will recommend to all your constituents immediately to exercise it, and never suffer its being wrested from them; otherwise the sensibility of our delegates could not allow them to say that they hold their offices from the voluntary choice of a free people.

We likewise conceive that this measure will more effectually and more speedily than any other, remove dissatisfied persons from all our councils, and give our public proceedings a much greater weight than they have hitherto obtained amongst our neighbors.

We never did as a body, nor never will, assume any authority whatsoever in the public transactions of the present times. Common sense teaches us, that the absurdity of the claim would not only

destroy our usefulness as a body of voluntary associators, who are warmly attached to the cause of liberty; but that it would likewise expose every one of us to deserved derision. At the same time, we assure your honorable house, that on all occasions we will continue to testify our zeal in supporting the measures adopted by congresses and committees, in the prosecution of their grand object, the restoration of human rights in the United Colonies. And if at any future time, the allies of the bodies in power give us reason to conceive that our representations may be useful, we then will endeavor to discharge our duty with propriety, and rely on public indulgence for any imperfection which cannot affect our uprightness.

Signed by order of the committee,

MALCOLM M'EUEN, chairman

MECHANICS-HALL, June 14, 1776.

*In convention of the representatives of the state of New-York, August 10, 1776.*

*Resolved*, That if any of the militia officers in the service of this state shall, during the present invasion, resign his commission after having received orders to proceed upon duty from this convention or his superior officer, without the permission of this state, or shall not repair with all possible dispatch to such place or places, as he or they may be ordered to by the convention of this state, or by his superior officer, shall, upon proof before a general court martial, be rendered incapable of holding any military employment under this state, and his name held up as a deserter of his country's cause.

ROBERT BENSON, Sec.

#### IN VIRGINIA CONVENTION.

*Saturday, March 25, 1775.*—*Resolved*, as the opinion of this convention, that on account of the unhappy disputes between Great Britain and the colonies, and the unsettled state of this country, the lawyers, suitors, and witnesses, ought not to attend the prosecution or defence of civil suits at the next general court: and it is recommended to the several courts of justice, not to proceed to the hearing or determination of suits on their dockets, except attachments; nor to give judgment, but in the case of sheriffs, or other collectors of money or tobacco received by them, in other cases where such judgment shall be voluntarily confessed, or upon such amicable proceedings as may become necessary for the settlement, division, or distribution of estates: and, during the suspension of the administration of justice, it is earnestly recommended to the people, to observe a peaceable and

orderly behavior; to all creditors to be as indulgent to their debtors as may be; and to all debtors, to pay as far as they are able; and where differences may arise, which cannot be adjusted between the parties, that they refer the decision thereof to judicious neighbors, and abide by their determination.

*Monday, March 27, 1775.*—The committee appointed to prepare a plan for the encouragement of arts and manufactures, reported the following resolutions, which being severally read, were unanimously agreed to:

*Whereas*, it hath been judged necessary, for the preservation of the just rights and liberties of America, firmly to associate against importation; and, as the freedom, happiness, and prosperity of a state greatly depend on providing within itself, a supply of articles necessary for subsistence, clothing, and defence; and whereas, it is judged essential, at this critical juncture, to form a proper plan for employing the different inhabitants of this colony, providing for the poor, and restraining vagrants and other disorderly persons, who are nuisances to every society, a regard for our country, as well as common prudence, call upon us to encourage agriculture, manufactures, economy, and the utmost industry; therefore, this convention doth resolve as follows:

Resolved unanimously—That it be earnestly recommended to the different magistrates, vestries, and churchwardens, throughout this colony, that they pay a proper attention and strict regard to the several acts of assembly, made for the restraint of vagrants, and the better employing and maintaining the poor.

Resolved unanimously—That from and after the first day of May next, no person or persons whatever, ought to use, in his or their families, unless in case of necessity, and on no account, sell to butchers, or kill for market, any sheep under four years old; and where there is a necessity for using any mutton, in his, her, or their families, it is recommended to kill such only as are least profitable to be kept.

Resolved unanimously—That the setting up and promoting woollen, cotton, and linen manufactures, ought to be encouraged in as many different branches as possible, especially coating, flannel, blankets, rugs, or coverlids, hosiery, and coarse cloths, both broad and narrow.

Resolved unanimously—That all persons, having proper lands for the purpose, ought to cultivate

and raise a quantity of flax, hemp, and cotton, sufficient not only for the use of his or her own family, but also to spare to others on moderate terms.

Resolved unanimously—As salt is a daily and indispensable necessary of life, and the making of it amongst ourselves, must be deemed a valuable acquisition, it is therefore recommended, that the utmost endeavors be used to establish salt works, and that proper encouragement be given to Mr. James Tait, who hath made proposals, and offered a scheme to the public, for so desirable a purpose.

Resolved unanimously—That saltpetre and sulphur, being articles of great and necessary use, the making, collecting, and refining them to the utmost extent, be recommended, the convention being of opinion, that it may be done to great advantage.

Resolved unanimously—That the making of gunpowder be recommended.

Resolved unanimously—That the manufacturing of iron into nails and wire, and other necessary articles, be recommended.

Resolved unanimously—That the making of steel ought to be largely encouraged, as there will be a great demand for this article.

Resolved unanimously—That the making of different kinds of paper ought to be encouraged; and as the success of this branch depends on a supply of old linen and woollen rags, the inhabitants of this colony are desired, in their respective families, to preserve these articles.

Resolved unanimously—That, whereas, wool combs, cotton and wool cards, hemp and flax bceels, have been for some time made to advantage, in some of the neighboring colonies, and are necessary for carrying on linen and woollen manufactures, the establishing such manufactures be recommended.

Resolved unanimously—That the erecting fulling mills, and mills for breaking, swingling, and softening hemp and flax, and also that the making grindstones be recommended.

Resolved unanimously—That the brewing malt liquors in this colony, would tend to render the consumption of foreign liquors less necessary, it is therefore recommended, that proper attention be given to the cultivation of hops and barley.

Resolved unanimously—That it be recommended to all the inhabitants of this colony, that they use as the convention engageth to do, our own manu-

factures, and those of other colonies, in preference to all others.

Resolved unanimously—That for the more speedily and effectually carrying these resolutions into execution, it be earnestly recommended, that societies be formed in different parts of this colony; and, it is the opinion of this convention, that proper premiums ought to be offered in the several counties and corporations, to such persons as shall excel in the several branches of manufactories; and it is recommended to the several committees of the different counties and corporations, to promote and encourage the same, to the utmost of their power.

*August 16, 1775.*—An address from the Baptists in this colony was presented to the convention, and read; setting forth, that however distinguished from the body of their countrymen, by appellatives and sentiments of a religious nature, they nevertheless consider themselves as members of the same community in respect to matters of a civil nature, and embarked in the same common cause; that, alarmed at the oppression which hangs over America, they had considered what part it would be proper to take in the unhappy contest, and had determined that in some cases it was lawful to go to war, and that they ought to make a military resistance against Great Britain in her unjust invasion, tyrannical oppressions, and repeated hostilities; that their brethren were left at discretion to enlist, without incurring the censure of their religious community; and, under these circumstances, many of them had enlisted as soldiers, and many more were ready to do so, who had an earnest desire their ministers should preach to them during the campaign; that they had therefore appointed four of their brethren to make application to this convention for the liberty of preaching to the troops at convenient times, without molestation or abuse, and praying the same may be granted them.

*Resolved,* That it be an instruction to the commanding officers of the regiments or troops to be raised, that they permit dissenting clergymen to celebrate Divine worship, and to preach to the soldiers, or exhort, from time to time, as the various operations of the military service may permit, for the ease of such scrupulous consciences as may not choose to attend Divine service as celebrated by the chaplain.

*Test in Virginia, 1776, published by order of the convention:*—"I, A. B. in the presence of Almighty

God, do solemnly swear, that I will, to the utmost of my power, support, maintain, and defend the government of Virginia, in the present just and necessary war, against all powers whatever, who do, or may levy or carry on any hostility of war against the same, and that I will not in any manner aid, or assist, comfort, countenance, correspond with or abet any person whatever, whom I know, or have cause to suspect, have designs to further, aid, or assist the tyrannical and cruel war, which the British parliament have levied against America, and that I will, from time to time, declare and make known all traitorous conspiracies and attempts against the peace and safety of Virginia, which shall come to my knowledge: So help me God."

WILLIAMSBURG, Oct. 1775.

*To colonel Andrew Lewis, and Mr. John Beyer.*

Gentlemen—For your past service you have our thanks, and we presume it is all the reward you desire. And as we have again committed to you the greatest trust we can confer (that of appearing for us in the great council of the colony) we think it expedient you hear our sentiments at this important juncture. And first, we require you to represent us with hearts replete with the most grateful and loyal veneration for the race of Brunswick, for they have been truly our fathers; and at the same time the most dutiful affection for our sovereign, of whose honest heart we cannot entertain any diffidence; but sorry we are to add, that in his councils we can no longer confide; a set of miscreants, unworthy to administer the laws of Britain's empire, have been permitted impiously to sway. How unjustly, cruelly, and tyrannically, they have invaded our rights, we need not now put you in mind. We only say, and we assert it with pride, that the subjects of Britain are one; and when the honest man of Boston who has broke no law, has his property wrested from him, the hunter on the Alegany must take the alarm, and, as a freeman of America, he will fly to his representatives, and thus instruct them:—Gentlemen, my gun, my tomahawk, my life I desire you to render to the honor of my king and country; but my liberty to range these woods on the same terms my father has done, is not mine to give up; it was not purchased by me, and purchased it was; it is entailed on my son, and the tenure is sacred. Watch over it, gentlemen, for to him it must descend unviolated, if my arm can defend it; but if not, if wicked power is permitted to prevail against me, the original purchase was blood, and mine shall seal the surrender.

That our countrymen and the world may know our disposition, we choose that this be published. And we have one request to add, that is, that the sons of freedom who appeared for us at Philadelphia, will accept our most ardent, grateful acknowledgments; and we hereby plight them our faith, that we will religiously observe their resolutions, and obey their instructions, in contempt of power and temporary interest; and should the measures they have wisely calculated for our relief fail, we will stand prepared for every contingency. We are, gentlemen, your dutiful, &c.

The Freeholders of Botetourt.

NORTH CAROLINA.

*Extracts from the reply of the assembly of North Carolina, to the speech of governor Martin, April, 1775.*

To his excellency Josiah Martin, esq. captain general, governor, and commander in chief, in and over the province of North Carolina.

SIR:—We, his majesty's most dutiful and loyal subjects, the members of the assembly of North Carolina, have taken into consideration you excellency's speech, at the opening of this session.

We met in general assembly, with minds superior to private dissension, determined calmly, unitedly, and faithfully, to discharge the sacred trust reposed in us by our constituents. Actuated by sentiments like these, it behoves us to declare, that the assembly of this colony have the highest sense of their allegiance to the king of Great Britain, to whom alone, as our constitutional sovereign, we acknowledge allegiance to be due, and to whom we so cheerfully and repeatedly have sworn it, that to remind us of the oath was unnecessary. This allegiance, all past assemblies have, upon every occasion, amply expressed; and we, the present representatives of the people, shall be always ready, by our actions, with pleasure to testify; sensible, however, that the same constitution which established that allegiance, and enjoined the oath in consequence of it, hath bound majesty under as solemn obligations, to protect subjects inviolate in all their just rights and privileges, wisely intending, by reciprocal dependence, to secure the happiness of both.

We contemplate, with a degree of horror, the unhappy state of America, involved in the most embarrassing difficulties and distresses, by a number of unconstitutional invasions of their just rights and privileges; by which, the inhabitants of the continent in general, and of this province in par-

ticular, have been precipitated into measures, extraordinary perhaps in their nature, but warranted by necessity, from whence, among many other measures, the appointment of committees, in the several towns and counties, took its birth, to prevent, as much as in them lay, the operations of such unconstitutional encroachments: And the assembly remain unconvinced of any steps taken by those committees, but such as they were compelled to take for that salutary purpose.

It is not to be controverted, that his majesty's subjects have a right to petition for a redress of grievances, or to remonstrate against them; and as it is only in a meeting of the people, that their sense, respecting such petition and remonstrance, can be obtained, that the right of assembling is as undoubted.—To attempt, therefore, under the mask of authority, to prevent or forbid a meeting of the people for such purposes, or to interrupt their proceedings when met, would be a vain effort, unduly to exercise power in direct opposition to the constitution.

Far be it from us, then, sir, even to wish to prevent the operations of the convention now held at Newbern, or to agree with your excellency in bestowing upon them the injurious epithet of an illegal meeting. They are, sir, the respectable representatives of the people, appointed for a special and important purpose, to which, though our constituents might have thought us adequate, yet, as our meeting depended upon the pleasure of the crown, they would have been unwise to have trusted to so precarious a contingency, especially as the frequent and unexpected prorogations of the assembly, one of them in particular, as if all respect and attention to the convenience of their representatives hath been lost, was proclaimed but two or three days before the time which had been appointed for the meetings, gave the people not the least reason to expect that their assembly would have been permitted to sit till it was too late to appoint delegates to attend the continental congress at Philadelphia; a measure which they joined the rest of America in thinking essential to its interest.

The house, sir, neither know, nor believe that any base arts have been practised upon the people in order to lead them from their duty; but we know with certainty, that the steps they have taken proceeded from a full conviction, that the parliament of Great Britain had, by a variety of oppressive and unconstitutional proceedings, made those steps absolutely necessary. We think it, therefore,

a duty we owe the people, to assert, that their conduct has not been owing to base arts, practised upon them by wicked and designing men; and have it much to lament, that your excellency should add your sanction to such groundless imputations, as it has a manifest tendency to weaken the influence which the united petition of his majesty's American subjects might otherwise have, upon their sovereign, for a redress of those grievances of which they so justly complain.

We should feel inexpressible concern at the information given us by your excellency, of your being authorized to say, that the appointment of delegates, to attend the congress at Philadelphia, now in agitation, will be highly offensive to the king, had we not recently been informed, from the best authority, that his majesty has been pleased to receive, very graciously, the united petition of his American subjects, addressed to him by the continental delegates, lately convened at Philadelphia. We have not, therefore, the least reason to suppose, that a similar application to the throne, will give offence to his majesty, or prevent his receiving a petition for the redress of grievances, which his American subjects have a right to present, either separately or unitedly.

We shall always receive, with pleasure, the information of any marks of loyalty to the king, given to your excellency, by the inhabitants of this colony; but we are greatly concerned, lest the manner in which you have thought proper to convey this information, should excite a belief, that a great number of the people of this province are disaffected to their sovereign, to prevent which, it is incumbent upon us, in this manner, solemnly to testify to the world, that his majesty has no subjects more faithful than the inhabitants of North Carolina, or more ready, at the expence of their lives and fortunes, to protect and support his person, crown, and dignity. If, however, by the signal proofs your excellency speaks of, you mean those addresses lately published in the North Carolina Gazette, and said to be presented to you, the assembly can receive no pleasure from your congratulations thereupon, but what results from the consideration that so few have been found in so populous a province, weak enough to be seduced from their duty, and prevailed upon by the base arts of wicked and designing men, to adopt principles so contrary to the sense of all America, and so destructive of those rights and privileges, it was their duty to maintain.

We take this opportunity, sir, the first that has been given us, to express the warm attachment we have to our sister colonies in general, and the heart-felt compassion we entertain for the deplorable state of the town of Boston in particular, and also to declare the fixed and determined resolution of this colony, to unite with the other colonies in every effort to retain those just rights and liberties which, as subjects to a British king, we possess, and which it is our absolute and indispensable duty, to hand down to posterity, unimpaired.

JOHN HARVEY, *Speaker.*

*In provincial congress, North Carolina, September 8, 1775.*

Mr. Hooper laid before the house an address to the inhabitants of the British empire; and the same being read was unanimously received, and is as follows viz.

*Friends, and fellow-citizens*—"The fate of the contest which at present subsists between these American colonies and the British ministers who now sit at the helm of public affairs, will be one of the most important epochs which can mark the annals of the British history.

"Foreign nations with anxious expectation wait the result, and see with amazement the blind infatuated policy which the present administration pursues to subjugate these colonies, and reduce them from being loyal and useful objects, to an absolute dependance and abject slavery; as if the descendants of those ancestors who have shed rivers of blood, and expended millions of treasure, in fixing upon a lasting foundation the liberties of the British constitution, saw with envy the once happy state of this western region, and strove to exterminate the patterns of those virtues which shone with a lustre which bids fair to rival and eclipse their own.

"To enjoy the fruits of our own honest industry, to call that our own which we earn with the labor of our hands, and the sweat of our brows, to regulate that internal policy by which we, and not they, are to be affected; these are the mighty boons we ask. And traitors, rebels, and every harsh appellation that malice can dictate, or the violence of language express, are the returns which we receive to the most humble petitions and earnest supplications. We have been told that independence is our object; that we seek to shake off all connection with the parent state. Cruel suggestion! do not all our professions, all our actions, uniformly contradict this?

"We again declare, and we invoke that Almighty Being who searches the recesses of the human heart and knows our most secret intentions, that it is our most earnest wish and prayer to be restored, with the other United Colonies, to the state in which we and they were placed before the year 1763, disposed to glance over any regulations which Britain had made previous to this, and which seem to be injurious and oppressive to these colonies, hoping that at some future day she will benignly interpose, and remove from us every cause of complaint.

"Whenever we have departed from the forms of the constitution, our own safety and self-preservation have dictated the expedient; and if in any instances we have assumed powers which the laws invest in the sovereign or his representatives, it has been only in defence of our persons, properties, and those rights which God and the constitution have made unalienably ours. As soon as the cause of our fears and apprehensions are removed, with joy will we return these powers to their regular channels; and such institutions formed from mere necessity, shall end with that necessity which created them.

"These expressions flow from an affection, bordering upon devotion, to the succession of the house of Hanover, as by law established, from subjects who view it as a monument that does honor to human nature; a monument capable of teaching kings how glorious it is to reign over a free people.—These are the heartfelt effusions of men ever ready to spend their blood and treasure, when constitutionally called upon, in support of that succession of his majesty King George the third, his crown and dignity, and who fervently wish to transmit his reign to future ages as the era of common happiness to his people. Could these our sentiments reach the throne, surely our sovereign would forbid the horrors of war and desolation to intrude into this once peaceful and happy land, and would stop that deluge of human blood which now threatens to overflow this colony; blood too precious to be shed but in a common cause, against the common enemy of Great Britain and her sons.

"This declaration we hold forth as a testimony of loyalty to our sovereign, and affection to our parent state, and as a sincere earnest of our present and future intentions.

"We hope, thereby, to remove those impressions which have been made by the representation of weak and wicked men to the prejudice of this colony,

who thereby intended that the rectitude of our designs might be brought into distrust, and sedition, anarchy, and confusion, spread through this loyal province.

"We have discharged a duty which we owe to the world, to ourselves, and posterity; and may the Almighty God give success to the means we make use of, so far as they are aimed to produce just, lawful, and good purposes, and the salvation and happiness of the whole British empire."

#### SOUTH CAROLINA.

##### IN PROVINCIAL CONGRESS.

*Charleston, June 21, 1775.*

*Ordered*—That the hon. William Henry Drayton, the hon. Barnard Elliot, colonel Charles Pinckney, col. James Parsons, col. Isaac Motte, col. Stephen Bull, col. William Moultrie, major Owen Roberts, captain Thomas Savage, captain John Huger, Miles Brewton, Thomas Ferguson, and Gabriel Capers, esquires, be a deputation to present his excellency the governor, the address of this congress.

To his excellency the right honorable lord William Campbell, governor and commander in chief over the province aforesaid,

*The humble address and declaration of the provincial congress.*

*May it please your excellency*—We, his majesty's loyal subjects, the representatives of the people of this colony, in congress assembled, beg leave to disclose to your excellency, the true cause of our present proceedings; not only that upon your arrival among us, you may receive no unfavorable impression of our conduct, but that we may stand justified to the world.

When the ordinary modes of application for redress of grievances, and the usual means of defence against arbitrary impositions have failed, mankind generally have had recourse to those that are extraordinary. Hence, the origin of the continental congress—and hence the present representation of the people in this colony.

It is unnecessary to enumerate the grievances of America; they have been so often represented, that your excellency cannot be a stranger to them.—Let it, therefore, suffice to say, that the hands of his majesty's ministers, having long lain heavy, now press with intolerable weight. We declare, that no love of innovation—no desire of altering the constitution of government—no lust of independence has had the least influence upon our councils: but, alarmed and roused by a long succession



of arbitrary proceedings, by wicked administrations—impressed with the greatest apprehension of instigated insurrections—and deeply affected by the commencement of hostilities by the British troops against this continent,—solely for the preservation and defence of our lives, liberties, and properties, we have been impelled to associate and to take up arms.

We sincerely deplore those slanderous informations and wicked councils, by which his majesty has been led into measures, which, if persisted in, must inevitably have involved America in all the calamities of a civil war, and rend the British empire. We only desire the secure enjoyment of our invaluable rights, and we wish for nothing more ardently, than a speedy reconciliation with our mother country, upon constitutional principles.

Conscious of the justice of our cause, and the integrity of our views, we readily profess our loyal attachment to our sovereign, his crown, and dignity; and, trusting the event to Providence, we prefer death to slavery. These things, we have thought it our duty to declare, that your excellency, and through you, our august sovereign—our fellow subjects—and the whole world—may clearly understand, that our taking up arms, is the result of dire necessity, and in compliance with the first law of nature.

We entreat and trust, that your excellency will make such a representation of the state of this colony, and of our true motives, as to assure his majesty, that in the midst of all our complicated distresses, he has no subjects in his wide dominions, who more sincerely desire to testify their loyalty and affection, or who would be more willing to devote their lives and fortunes to his real service.

By order of the provincial congress, at Charleston, June 20, 1775.

HENRY LAURENS, *President.*

FROM THE SOUTH CAROLINA GAZETTE.

*In provincial congress, Charleston, Wednesday, June 21, 1775.*

"Whereas, the inhabitants of Poole, a seaport in the English Channel, lost to all sense of honor, humanity and gratitude, have, by their late petition to parliament, manifested themselves not only inimical to America, but desirous to add to the heavy oppressions under which the unfortunate and virtuous inhabitants of the four New England governments labor, in consequence of their laudable conduct in defence of the liberties of America

and of mankind: to testify our just resentment to so base and cruel a conduct in the inhabitants of Poole, it is hereby *resolved*. That this colony will not use or employ any shipping belonging to that port, or owned by any inhabitant there, or carry on any transactions, or hold any communication with that people.

PETER TIMOTHY, *Secretary.*

*In provincial congress, Charleston, Thursday, June 22.*

"Resolved, that all absentees, holding estates in this colony, except the sick, those above 60, and those under 21 years of age, ought, forthwith, to return to this colony.

"Resolved, that no persons, holding estates in this colony, ought to withdraw from its service, without giving good and sufficient reasons for so doing to this congress, or, during its recess, to the general committee.

PETER TIMOTHY, *Secretary.*

*Association, unanimously agreed to in the provincial congress of South Carolina.*

The actual commencement of hostilities against this continent, by the British troops, in the bloody scene on the 19th of April last, near Boston; the increase of arbitrary impositions, from a wicked and despotic ministry, and the dread of instigated insurrections in the colonies, are causes sufficient to drive an oppressed people to the use of arms:—We, therefore, the subscribers, inhabitants of South Carolina, holding ourselves bound, by that most sacred of all obligations, the duty of good citizens towards an injured country, and thoroughly convinced, that, under our present distressed circumstances, we shall be justified before God and man, in resisting force by force, no longer ourselves under every tie of religion and honor, and associate as a band in her defence, against every foe; hereby solemnly engaging that whenever our continental and provincial councils shall decree it necessary, we will go forth, and be ready to sacrifice our lives and fortunes, to secure her freedom and safety—This obligation to continue in full force until a reconciliation shall take place between Great Britain and America, upon constitutional principles; an event which we most ardently desire. And we will hold all those persons inimical to the liberties of the colonies, who shall refuse to subscribe to this association.

Subscribed by every member present, and certified by  
HENRY LAURENS, *President.*  
June, 1775.

JOURNAL OF THE STAMP-ACT CONGRESS;

HELD AT NEW-YORK, 1765.

We have several times promised to treat our readers with a correct copy of this venerable manuscript, detailing the first movements of the friends of freedom in the new world. It is an official copy, under the signature of JOHN CORROW, esq. clerk to that illustrious body; and, we have reason to believe, the only one extant. It was handed to the editor by his much respected friend, Caesar Rodney, esq. of Delaware, who found it among the papers of his late revered uncle, the estimable and patriotic Caesar Rodney, one of the delegates, and for many years the great prop and stay of *Whiggism* in the lower parts of his native state. On a loose piece of paper, in the manuscript book, is a list of the members, with which we have preceeded the journal itself, in the hand writing of Mr. C. R. We are thus particular to shew the entire authenticity of the document: which, we are informed, many of our sages have sought for in vain.

In this journal the reader will not find any thing to astonish or surprize him; but there is much to admire. In every line he will discover a spirit of decision and firmness totally irreconcilable with a state of servitude, and highly worthy of imitation at the present day. The difficulties the people encountered in forming this congress, unknown to the laws and opposed by the royalists invested with power, are honorable to their cause and its agents. With an eye steadily fixed on freedom, they cast behind them the cold maxims of prudence, and nobly resolved to systematise an opposition to the growing tyranny of the "mother country." They did so, and therein generated a spirit of *union*, that finally brought about the independence of these states, and led to the establishment of our present happy constitution.

[Niles' Weekly Register, of July 25, 1812.

*Delegates to the Congress of 1765.*

*Massachusetts*—James Otis  
Oliver Partridge  
Timothy Ruggles.  
*Rhode-Island*—Metcalf Bowler  
Henry Ward.  
*Connecticut*—Eliphalet Dyer  
David Rowland  
William S. Johnson.  
*New-York*—Robert R. Livingston  
John Cruger  
Philip Livingston  
William Bayard  
Leonard Lespenard.

*New-Jersey*—Robert Ogden  
Hendrick Fisher  
Joseph Burden.  
*Pennsylvania*—John Dickinson  
John Morton  
George Bryan.  
*Delaware*—Thomas M'Kean  
Caesar Rodney.  
*Maryland*—William Murdock  
Edward Tilghman  
Thomas Ringgold.  
*South Carolina*—Thomas Lynch  
Christopher Gadsden  
John Rutledge.

*New Hampshire, Virginia, North-Carolina and Georgia,* } Were not represented in this congress. But their assemblies wrote that they would agree to whatever was done by the congress."

THE JOURNAL.

*Boston, June, 1765.*

SIR—The house of representatives of this province, in the present session of general court, have unanimously agreed to propose a meeting, as soon as may be, of committees from the houses of representatives or burgesses, of the several British colonies on this continent, to consult together on the present circumstances of the colonies, and the difficulties to which they are and must be reduced by the operation of the acts of parliament, for levying duties and taxes on the colonies; and to consider of a general and united, dutiful, loyal and humble representation of their condition to his majesty and to the parliament, and to implore relief.

The house of representatives of this province have also voted, to propose that such meeting be at the city of New-York, in the province of New-York, on the first Tuesday in October next, and have appointed the committee of three of their members to attend that service, with such as the other houses of representatives or burgesses, in the several colonies, may think fit to appoint to meet them; and the committee of the house of representatives of this province, are directed to repair to the said New-York, on the first Tuesday in October next, accordingly: if, therefore, your honorable house should agree to this proposal, it would be acceptable, that as early notice of it as possible might be transmitted to the speaker of the house of representatives of this province.

SAMUEL WHITE, Speaker.

In consequence of the foregoing circular letter, the following gentlemen met at New-York, in the province of New-York, on Monday, the 7th of October, 1765, viz:

From the province of *Massachusetts Bay*. { JAMES OTIS,  
OLIVER PARTRIDGE  
TIMOTHY RUGGLES. } *Esqrs.*

Who produced their appointment as follows viz:  
To James Otis, Oliver Partridge, and Timothy Ruggles, esquires.

Gentlemen,—The house of representatives of this province, have appointed you a committee to meet at New-York on the first Tuesday in October next, such committees as the other houses of representatives or burgesses in the several colonies on this continent, may think fit to appoint, to consult together on the present circumstances of the colonies, on the difficulties to which they are, and must be

reduced by the operation of the late acts of parliament. By this choice, the house has reposed in you a trust of singular importance, and have just reason to expect you will give your utmost attention to it. In case you should receive advice that the houses of representatives or burgesses of the other colonies, or any of them, agree to such committees, to join you in this interesting affair, you are directed to repair to New-York at the time appointed, and endeavor to unite with them in sentiment, and agree upon such representations, as may tend to preserve our rights and privileges. And it is the opinion of this house, that no address or representation shall be esteemed the act of this house, unless it is agreed to and signed by the major part of their committee.

If it should be said, that we are in any manner represented in parliament, you must by no means concede it; it is an opinion which this house cannot see the least reason to adopt.

Further, the house think that such a representation of the colonies as British subjects are to enjoy, would be attended with the greatest difficulty, if it is not absolutely impracticable, and therefore, you are not to urge or consent to any proposal for any representation, if such be made in the congress.

It is the expectation of the house, that a most loyal and dutiful address to his majesty and the parliament, will be prepared by the congress, praying as well for the removal of the grievances the colonies labor under at present, as for preventing others for the future: which petitions, if drawn up, as far as you shall be able to judge, agreeable to the mind of the house, you are empowered to sign and forward; and you are to lay a copy of the same before this house, and make report of your proceedings upon your return.

It is the hearty prayer of this house, that the congress may be endued with that wisdom which is from above, and that their councils and determinations may be attended with the divine blessing.

SAMUEL WHITE Speaker.

From the colony of Rhode-Island and Providence Plantations, { METCALF BOWLER, and HENRY WARD, Esqs.

Who produced the following appointment, viz:

By the honorable SAMUEL WARD, governor, captain general and commander in chief of and over the English colony of Rhode-Island and Providence Plantations in New-England in America.

To Metcalf Bowler and Henry Ward, esquires, Gentlemen:

Whereas, the general assembly of this province have nominated and appointed you, the said Metcalf Bowler and Henry Ward, to be commissioners in behalf of this colony to meet such commissioners as are or shall be appointed by the other British governments in North America, to meet at New-York the first Tuesday of October next;

I do, therefore, hereby authorize and empower, and commissionate you, the said Metcalf Bowler and Henry Ward, forthwith to repair to New-York, and there, in behalf of this colony, to meet and join with the other commissioners in consulting together on the present circumstances of the colonies, and the difficulties to which they are and must be reduced by the operation of the act of parliament

"The reader may remark in all these commissions with how great authority the right of taxation is assumed.—But, But

for levying duties and taxes upon the colonies; and to consider of a general and united, dutiful, loyal and humble representation to his majesty and the parliament, and to implore relief. And you are also hereby empowered to conclude and agree with the other commissioners, upon such measures as you shall think necessary and proper for obtaining redress of the grievances of the colonies, agreeably to the instructions given you by the general assembly of this colony.

Given under my hand and the seal of the said colony, this sixteenth day of September, 1765, and in the fifth year of his majesty's reign.

SAMUEL WARD.

By his honor's command.

HENRY WARD, Secretary.

From the colony of Connecticut, { ELIPHALET DYER, DAVID ROWLAND, and WM. SAML. JOHNSON, Esqs.

Who produced the following appointment, viz.

At a general assembly of the governor and company of the colony of Connecticut, holden at Hartford, by special order of his honor the governor of said colony, on the nineteenth day of September, Anno Dom. 1765

Whereas, it has been proposed that a congress be attended by commissioners from the several governments on this continent, to confer upon a general, united, humble, loyal and dutiful representation to his majesty and the parliament, of the present circumstances of the colonies and the difficulties to which they are and must be reduced by the operation of the acts of parliament for laying duties and taxes on the colonies, and to implore relief.

Resolved by this assembly, That Eliphalet Dyer, David Rowland, and William Samuel Johnson, esqs. or any two of them, be, and are hereby appointed commissioners, on behalf of this colony, to repair to New-York to attend the proposed congress, in the matters above referred to; and his honor is hereby desired to commissionate them accordingly.

A true copy, examined by

GEORGE WYLLYS, Secretary.

At a general assembly of the governor and company of the colony of Connecticut, holden at Hartford, by special order of his honor the governor of said colony, on the 19th day of September, Anno Dom. 1765.

Instructions to the commissioners of this colony, appointed to meet commissioners from the other colonies at New-York, on the first Tuesday of October next:

Gentlemen,—You are to repair to the said city of New-York, at said time, or at the time which, according to the intelligence you may receive of the convening of the other commissioners, it may appear to you reasonable and best, to consult together with them on the present circumstances of the colonies, and the difficulties to which they are and must be reduced, by the operation of the acts of parliament for levying duties and taxes on the colonies, and to consider of and prepare a general, united, dutiful, loyal and humble representation of their condition to his majesty and the parliament, and to implore relief, &c. In your proceedings you are to take care that you form no such junction with the other commissioners as will subvert you to the major vote of the commissioners present.

You are to inform the governor and general assembly at the sessions in October next, of all such

proceedings, as appear to you needful and convenient to be communicated for consideration; and to observe all such further instructions as you may receive; and you are to report your doings with the doings of the commissioners at such meeting, to the general assembly of this colony, for acceptance and approbation.

A true copy, examined by  
GEORGE WYLLYS, Secretary.

THOMAS FITCH, Esquire, governor and commander in chief of his majesty's colony of Connecticut in New-England, in America,  
To Eliphalet Dyer, David Rowland, and William Samuel Johnson esquires,

GREETING:

Whereas, the general assembly of the said colony of Connecticut, at their session holden at Hartford on the nineteenth day of this instant, September, nominated and appointed you, or any two of you, to be commissioners on behalf of this colony, to repair to New-York to attend a congress proposed to be held there by commissioners from the several governments on this continent, to confer upon a general and united, loyal, humble and dutiful representation to his majesty and the parliament, of the present circumstances of the colonies, and the difficulties to which they are and must be reduced by the operation of the acts of parliament, for levying duties and taxes on the colonies, and to implore relief, &c. and have desired me to commission you accordingly.

I do therefore, reposing a special trust and confidence in your loyalty, ability and good conduct, hereby constitute, authorize and commission the said Eliphalet Dyer, David Rowland and William Samuel Johnson, esquires, or any two of you, for and on behalf of this colony, to repair to the said city of New-York on the first day of October next, or at the time which, according to the intelligence you may receive of the convening of the other commissioners, may appear to you seasonable and best, to confer and consult with them or such of them as shall be present upon and convening, the matters and things before mentioned, for the purposes aforesaid; wherein you are to observe such instructions as you have received, or shall further receive from the general assembly of the said colony of Connecticut, agreeable to the important trust reposed in you.

Given under my hand, and the public seal of said colony of Connecticut, within the same, the twenty-first day of September, in the fifth year of the reign of our sovereign lord George the third, of Great Britain, France and Ireland, king, defender of the faith, &c. Anno Domini, one thousand seven hundred and sixty-five.

THOMAS FITCH.

By his honor's command,  
GEORGE WYLLYS, Secretary.

From the colony of New-York, { ROBERT R. LIVINGSTON,  
JOHN CRUGER,  
PHILIP LIVINGSTON,  
WILLIAM BAYARD,  
LEONARD LEEFARND, } Esquires,

Appeared, and informed the congress that since the above letter from the speaker of the house of representatives of Massachusetts Bay, the general assembly of New-York have not had an opportunity of meeting, but that they confidently expect,

from the general sense of the people, and such of the representatives as they have had an opportunity of speaking to, that when the assembly does meet, (which will be probably very soon) the congress will be approved, and a regular committee for the purpose appointed; in the mean time they think themselves in some measure authorised to meet the congress, by the following vote, viz:

Extract from the votes and proceedings of the general assembly of the colony of New-York.

DIE SABATI, 9<sup>th</sup> A. M. the 4<sup>th</sup> April, 1771.

Mr. Speaker represented to this house, that his situation in the country rendered it vastly inconvenient to him alone to correspond with the agent of this colony, at the court of Great Britain, and more especially so, during the recess of the house.

Ordered, That the members of the city of New-York, or the major part of them, be a committee of correspondence to correspond with the agent of this colony at the court of Great Britain during the recess of the house, concerning the public affairs of this colony; and that they lay before the house copies of all such letters as they may write to him, and also all such letters and advices at they may receive from him respecting the same.

DIE JOVIS, 9<sup>th</sup> A. M. 9<sup>th</sup> December, 1763.

Albion Livingston, from the committee appointed to correspond with the agent of this colony at the court of Great Britain, acquainted the house, that the committee conceived it expedient that one or more members should be added to the said committee to correspond with the said agent about the affairs of this colony.

Ordered, That Robert R. Livingston, esq. be added to, and be made one of the said committee of correspondence.

DIE JOVIS, 9<sup>th</sup> A. M. the 18<sup>th</sup> October, 1764.

Ordered, That the said committee appointed to correspond with the said agent, be also a committee during the recess of the house, to write to and correspond with the several assemblies or committees of assemblies on this continent, on the subject matter of the act, commonly called the stamp act, of the act restraining paper bills of credit in the colonies, from being a legal tender, and of the several other acts of parliament lately passed, with relation to the trade of the northern colonies; and also on the subject of the impending dangers, which threaten the colonies of being taxed by laws to be passed in Great Britain.

Extract from, compared and examined with the records of the proceedings of the general assembly of the colony of New-York.

By ABRAHAM LOTT, clerk.

From the colony of New-Jersey, { ROBERT OGDEN,  
HENDRICK FISHER,  
JOSEPH BORDEN, } Esqrs.

Who produced the following appointment, viz:

At a meeting of a large number of the representatives of the colony of New-Jersey, at the house of Robert Sprout, October 3d, 1765:

At the desire of the speaker of the house of representatives as aforesaid, and at the earnest request of many of our constituents, to consider of some method for humbly, loyally and dutifully joining in a petition to his majesty, that he would be graciously pleased to recommend to the parliament of

Great Britain to redress our grievances by repealing several of the late acts of parliament affecting the northern colonies, particularly that called the stamp act.

Robert Ogden, esq. Hendrick Fisher, esq. and Joseph Borden, esq. were directed to attend at the congress now met at New-York, and join the measures there to be concluded, for the purposes aforesaid, and to make report of their proceedings therein, at the next meeting of the general assembly.

Signed by order, JOHN LAWRENCE.

From the province of } JOHN DICKINSON, } Esqrs.  
Pennsylvania, } JOHN MORTON, }  
} GEORGE BRYAN, }

Who produced the following appointment in general assembly, September 11th, 1765, A. M.

The house resumed the consideration of their resolution of yesterday, to appoint a committee of three or more of their members, to attend the general congress of committees from the several assemblies on this continent, to be held at New-York on the first of October next, and, after some time spent therein,

*Resolved*, That Mr. Speaker, Mr. Dickinson, Mr. Bryan and Mr. Morton be, and they are, hereby, nominated and appointed to that service.

A true extract from the journals,

CHARLES MOORE,

Clerk of the assembly.

Extract from the journals of the house of representatives for the province of Pennsylvania.

*Wednesday, September 11th, 1765, A. M.*—The committee appointed to prepare instructions for the deputies nominated by this house to attend the proposed congress at New-York on the first of next month, reported an essay for that purpose, which they presented to the chair; and the same being read and agreed to by the house, follows in these words, viz:

*Instructions to the committee appointed to meet the committees of the other British continental colonies, at New-York:*

It is desired by the house that you shall, with the committees that have been appointed by the several British colonies on this continent to meet at New-York, consult together on the present circumstances of the colonies, and the difficulties they are and must be reduced to, by the late acts of parliament for the levying duties and taxes upon these colonies; and join with the said committees in loyal and dutiful addresses to the king and to the two houses of parliament, humbly representing the condition of these colonies, and imploring relief, by a repeal of the said acts; and you are strictly required to take care that such addresses in which you join, are drawn up in the most decent and respectful terms; so also avoid every expression that can give the least offence to his majesty or to either house of parliament.

You are also directed to make report of your proceedings herein to the succeeding assembly.

A true extract from the journals,

CHARLES MOORE,

Clerk of the assembly.

September 25th, 1765.

From the government of the counties of

New Castle, Kent and } CESAR RODNEY, } Esqrs.  
Sussex, upon Delaware, } THOMAS M'KEAN, }

Whose appointment are as follow, viz:

Cesar Rodney and Thomas M'Kean, esqrs. appeared from the government of the counties of New Castle, Kent and Sussex, upon Delaware, and informed this congress, that the representatives of the said government could not meet in general assembly after the above letter was wrote, and before the first day of this instant: that the said assembly consists only of eighteen members, fifteen of whom have appointed the other three to attend here, &c. by three several instruments of writing, which are in the words following, to wit:

*To all whom these presents may come:*

Know YE, That we, the subscribers, five of the representatives of the freemen of the government of the counties of New-Castle, Kent and Sussex, upon Delaware, sensible of the weighty and oppressive taxes imposed upon the good people of this government by divers late acts of parliament, and of the great infringement of the liberties and just established rights of all his majesty's colonies on this continent, occasioned by the late measures in England; and being of opinion that the method proposed by the honorable house of assembly of the province of Massachusetts bay is the most likely to obtain a redress of these grievances; and, taking into consideration the misfortune we, at present, labor under, in not having it in our power to convene, as a house, and, in a regular manner, to appoint a committee: yet, zealous for the happiness of our constituents, think it our duty, in this way, to serve them as much as in us lies, (assured of the hearty approbation of any future house of assembly of this government); and, therefore, do hereby nominate and appoint Jacob Kollock, Thomas M'Kean and Cesar Rodney, esqrs. three of the representatives of the same government, a committee, to repair to the city of New-York on the first day in October next, and there to join with the committees sent by the other provinces, in one united and loyal petition to his majesty, and remonstrance to the honorable house of commons of Great Britain, against the aforesaid acts of parliament, therein dutifully, yet most firmly, asserting the colonies' right of exclusion from parliamentary taxation; and praying that they may not, in any instance, be stripped of the ancient and most valuable privilege of a trial by their peers, and most humbly imploring relief.

In testimony whereof, we have hereunto set our hands, at New Castle, the twenty-first day of September, Anno que Domini, 1765.

EVAN RICE,  
THOMAS COOK,  
WILLIAM ARMSTRONG,  
GEORGE MONROE,  
JOHN EVANS.

*Kent county, to wit:*

We, whose names are here underwritten, members of the general assembly of the government of the counties of New Castle, Kent and Sussex, upon Delaware, for the said county of Kent, though sensible of the impropriety of assuming the functions of assemblymen during the recess of our house, yet, zealous to concur in any measure which may be productive of advantage to this government and the other British colonies on the continent of America in general, have appointed, and, as much as in us lies, do appoint, Jacob Kollock, esq. Cesar Rodney, esq. and Thomas M'Kean, esq. members of said assembly, to be a committee to meet with the other

committees already appointed, or to be appointed, by the several and respective assemblies of said other colonies, at the city of New-York, on the first Tuesday in October next, in conjunction with the other committees, to consider of the present distressful circumstances of the said colonies, occasioned, in some measure, (as we apprehend), by several late acts of parliament, and to join with them in an humble address to his most gracious majesty, and the parliament of Great Britain, for the redress of our grievances, or in any other expedient that shall be agreed on, by the said committees, which may tend to promote the utility and welfare of the British dominions in America.

JOHN VINING,  
JOHN CATON,  
JOHN BARNS,  
WILLIAM KILLEN,  
VINCENT LOCKERMAN.

September 13th, 1765.

*Sussex county, to wit:*

We, whose names are here underwritten, members of the general assembly of the government of the counties of New-Castle, Kent and Sussex, upon Delaware, for the said county of Sussex, though sensible of the impropriety of assuming the functions of assemblymen during the recess of our house, yet, zealous to concur in any measure which may be productive of a advantage to this government and the other colonies on the continent of America in general, have appointed, and, as much as in us lies, do appoint Jacob Kollock, esq. Caesar Rodney, esq. and Thomas McKean, esq. members of the said assembly, to be a committee to meet with the other committees already appointed, or to be appointed, by the several and respective assemblies of the said other colonies, at the city of New-York, on the first Tuesday in October next, in conjunction with the said other committees, to consider of the present distressful circumstances of the said colonies, occasioned, in some measure, (as we apprehend), by several late acts of parliament; and to join with them in an humble address to his most gracious majesty and the parliament of Great Britain for redress of our grievances; or on any other expedient, that shall be agreed on by the said committees, which may tend to promote the utility and welfare of the British dominions in America.

DAVID HALL,  
BENJ'N. BURTON,  
LEVIN CRAPPER,  
THO'S ROBINSON,  
JACOB KOLLOCK, jun.

September 17th, 1765.

From the province of { WILLIAM MURDOCK, } Esq's  
Maryland, { EDWARD TILGHMAN, }  
THOMAS RINGGOLD. }

*Instructions from the honorable lower house of assembly of the province of Maryland:*

To William Murdock, Edward Tilghman and Thomas Ringgold, esqrs. a committee appointed to join the several committees from the several colonies in America, at New York:

*Gentlemen*—You are to repair immediately to the city of New-York, in the province of New-York, and there join with the committees from the houses of representatives of the other colonies, in a general and united, loyal and humble representation to his majesty and the British parliament, of the circumstances and condition of the British colonies and plantations, and to pray relief from the burthens and

restraints lately laid on their trade and commerce, and especially from the taxes imposed by an act of the last session of parliament granting and applying certain stamp duties and other duties in the British colonies and plantations in America, whereby they are deprived, in some instances, of that invaluable privilege of Englishmen and British subjects—trials by juries, that you take care that such representation shall humbly and decently, but expressly, contain and assertion of the rights of the colonies to be exempt from all and every taxation and impositions upon their persons and properties to which they do not consent in a legislative way, either by themselves or by their representatives, by them freely chosen and appointed.

Signed by order of the house,  
ROBERT LLOYD, Speaker.

From the province of { THOMAS LYNCH, } Esq's  
South-Carolina, { CHRISTOPHER GADSDEN, }  
JOHN RUTLEDGE. }

Who produced the following appointment

*Thursday, 25th July, 1765.*—The house, (seconding to order), took into consideration the letter from the speaker of the house representatives of the — of Massachusetts-bay, laid before them on Friday last —and, debate arising thereon, and some time spent therein, *Ordered*, That the said letter be referred to a committee of the following gentlemen, viz: capt. Gadsden, Mr. Wright, Mr. Gillard, Mr. Wragg, Mr. Parsons, Mr. Pinckney, colonel Lawrence, Mr. Rutledge, Mr. Manigault and Mr. Drayton.

*Friday, 26th July, 1765.*—Captain Gadsden reported, from the committee appointed to consider of the letter sent from the speaker of the house of representatives of the province of Massachusetts-bay to the speaker of this house, and to report their opinion thereupon of the expediency and utility of the measures therein proposed, and the best means of effecting the relief therein mentioned:

That they are of opinion the measure therein proposed is prudent and necessary, and therefore recommend to the house to send a committee to meet the committees from the houses of representatives or burgesses of the several British colonies on the continent, at New-York, on the first Tuesday in October next.

That the said committee be ordered to consult there, with those other committees, on the present circumstances of the colonies, and the difficulties which they are and must be reduced to, by the operation of the acts of parliament for levying duties and taxes on the colonies; and to consider of a general and united, loyal and humble representation of their condition to his majesty and the parliament, and to implore relief; that the result of their consultation shall, at their return, be immediately laid before the house, to be confirmed or not, as the house shall think proper.

And the said report being delivered in at the clerk's table and read a second time, the question was severally put, that the house do agree to the first, second and third paragraphs of this report? It was resolved in the affirmative.

*Friday 2d August, 1765* — Motion being made, resolved, that this house will provide a sum sufficient to defray the charges and expences of a committee of three gentlemen on account of their going to, convening at, and returning from the meeting of the several committees proposed to assemble at New-York on the 1st Tuesday in October next, to consult there with those other committees on the

present circumstances of the colonies, and the difficulties which they are and must be reduced to by the operation of the acts of parliament for levying duties and taxes on the colonies, and to consider of a general, united, dutiful, loyal and humble representation of their condition to his majesty and the parliament, and to implore relief.

*Ordered*, That the public treasurer do advance out of any monies in his hands, to the said committee, a sum not exceeding six hundred pounds sterling, for the purpose aforesaid.

*Resolved*, That this house will reimburse the treasurer the said sum.

*Ordered*, That the following gentlemen be appointed a committee for the purpose aforesaid, viz: Mr. Thomas Lynch, Mr. Christopher Gadsden and Mr. John Rutledge.

*Thursday, 8th August, 1765.*—*Ordered*, That the said speaker inform Thomas Lynch, Christopher Gadsden and John Rutledge, esquires, that they are appointed a committee to meet the committees of the several other colonies on the continent, on the first Tuesday in October next, at New-York; and that he do acquaint them it is the desire of the house, that they repair to New-York on the said first Tuesday in October next, for the purpose mentioned in the report of the committee, as agreed to by this house on Friday the 26th day of July last.

*Ordered*, That three copies of the proceedings of this house relative to the said matter, be made out and signed by the speaker, and that he deliver one of the said copies to each of the said gentlemen.

RAW: LOWMEES, speaker.

Then the said committees proceeded to choose a chairman by ballot; and TIMOTHY REEVES, esq. on sorting and counting the votes, appeared to have a majority—and thereupon was placed in the chair.

*Resolved, nem. con.* That Mr. John Cotton be clerk to this congress during the continuance thereof.

Then the congress took into consideration the several appointments of the committees from New-York, New Jersey, and the government of the lower counties on Delaware—and

*Resolved, nem. con.* That the same are sufficient to qualify the gentlemen therein named, to sit in this congress.

*Resolved also*, That the committee of each colony, shall have one voice only, in determining any questions that shall arise in the congress.

Then the congress adjourned until to-morrow morning, 9 o'clock.

*Tuesday, Oct. 8th, 1765, A. M.*—The congress met according to adjournment. Upon motion, voted, that the provinces be is adjourned to. Voted, that Mr. Justice Livingston, Mr. McKean and Mr. Rutledge be a committee to inspect the proceedings and minutes, and correct the same.

Then the congress took into consideration the rights and privileges of the British American colo-

There appears to be some error here.—[En. Res.]

nists, with the several inconveniences and hardships to which they are and must be subjected by the operation of several late acts of parliament, particularly the act called the stamp act; and after some time spent therein, the same was postponed for further consideration,

Then the congress adjourned until to-morrow morning, 9 o'clock.

*Wednesday, Oct. 9th, 1765, A. M.*—Then the congress met according to adjournment. The congress resumed the consideration of the rights and privileges of the British American colonists, &c. the same was referred after sundry debates, for further consideration.

Then the congress adjourned until to-morrow morning, 11 o'clock.

*Thursday, Oct. 10th, 1765, A. M.*—Then the congress met according to adjournment, and resumed, &c. as yesterday—and then adjourned to 10 o'clock, to-morrow morning.

*Friday, Oct. 11th, 1765, A. M.*—The congress met according to adjournment, and resumed, &c. as yesterday—and then adjourned to 10 o'clock, to-morrow morning.

*Saturday, Oct. 12th, 1765, A. M.*—The congress met according to adjournment, and resumed, &c. as yesterday—and then adjourned to Monday morning next, 10 o'clock.

*Monday, Oct. 14th, 1765, A. M.*—The congress met according to adjournment, and resumed, &c. as on Saturday last—and then adjourned to to-morrow morning, 9 o'clock.

*Tuesday, Oct. 15th, 1765, A. M.*—The congress met according to adjournment, and resumed, &c. as yesterday—and then adjourned to to-morrow morning, 9 o'clock.

*Wednesday, Oct. 16th, 1765, A. M.*—The congress met according to adjournment, and resumed, &c. as yesterday—and then adjourned to to-morrow morning, 9 o'clock.

*Thursday, Oct. 17th, 1765, A. M.*—The congress met according to adjournment, and resumed, &c. as yesterday—and then adjourned to to-morrow morning, 9 o'clock.

*Friday, Oct. 18th, 1765, A. M.*—The congress met according to adjournment, and resumed, &c. as yesterday—and then adjourned to to-morrow morning, 9 o'clock.

*Saturday, Oct. 19th, 1765, A. M.*—The congress met according to adjournment, and resumed, &c. as yesterday; and upon mature deliberation, agreed to the following declarations of the rights and grievances of the colonists in America, which were ordered to be inserted:

The members of this congress, sincerely devoted, with the warmest sentiments of affection and duty to his majesty's person and government; inviolably attached to the present happy establishment of the protestant succession, and with minds deeply impressed by a sense of the present and impending misfortunes of the British colonies on this continent; having considered as maturely as time would permit, the circumstances of the said colonies, esteem it our indispensable duty to make the following declarations, of our humble opinion, respecting the most essential rights and liberties of the colonists, and of the grievances under which they labor, by reason of several late acts of parliament.

1st. That his majesty's subjects in these colonies, owe the same allegiance to the crown of Great Britain, that is owing from his subjects born within the realm, and all due subordination to that august body, the parliament of Great Britain.

2d. That his majesty's liege subjects in these colonies are entitled to all the inherent rights and privileges of his natural born subjects within the kingdom of Great Britain.

3d. That it is inseparably essential to the freedom of a people, and the undoubted rights of Englishmen, that no taxes should be imposed on them, but with their own consent, given personally, or by their representatives.

4th. That the people of these colonies are not, and from their local circumstances, cannot be, represented in the house of commons in Great Britain.

5th. That the only representatives of the people of these colonies, are persons chosen therein, by themselves; and that no taxes ever have been, or can be constitutionally imposed on them, but by their respective legislatures.

6th. That all supplies to the crown, being free gifts of the people, it is unreasonable and inconsistent with the principles and spirit of the British constitution, for the people of Great Britain to grant to his majesty the property of the colonists.

7th. That trial by jury is the inherent and invaluable right of every British subject in these colonies.

8th. That the late act of parliament, entitled, An act for granting and applying certain stamp duties, and other duties in the British colonies and plantations in America, &c. by imposing taxes on the inhabitants of these colonies, and the said act, and several other acts, by extending the jurisdiction of the courts of admiralty beyond its ancient limits, have a manifest tendency to subvert the rights and liberties of the colonists.

9th. That the duties imposed by several late acts of parliament, from the peculiar circumstances of these colonies, will be extremely burthensome and grievous, and from the scarcity of specie, the payment of them absolutely impracticable.

10th. That as the profits of the trade of these colonies ultimately centre in Great Britain, to pay for the manufactures which they are obliged to take from thence, they eventually contribute very largely to all supplies granted there to the crown.

11th. That the restrictions imposed by several late acts of parliament, on the trade of these colonies, will render them unable to purchase the manufactures of Great Britain.

12th. That the increase, prosperity and happiness of these colonies, depend on the full and free enjoyment of their rights and liberties, and an intercourse,

with Great Britain, mutually affectionate and advantageous.

13th. That it is the right of the British subjects in these colonies, to petition the king or either house of parliament.

Lastly, That it is the indispensable duty of these colonies to the best of sovereigns, to the mother country, and to themselves, to endeavor, by a loyal and dutiful address to his majesty, and humble application to both houses of parliament, to procure the repeal of the act for granting and applying certain stamp duties, of all clauses of any other acts of parliament, whereby the jurisdiction of the admiralty is extended as aforesaid, and of the other late acts for the restriction of the American commerce.

Upon motion, voted, that Robert R. Livingston, William Samuel Johnson and William Murdock, Esqrs. be a committee to prepare an address to his majesty, and lay the same before the congress on Monday next.

Voted also, that John Rutledge, Edward Tilghman and Philip Livingston, Esqrs. be a committee to prepare a memorial and petition to the lords in parliament, and lay the same before the congress on Monday next.

Voted also, that Thomas Lynch, James Otis and Thomas McKean, Esqrs. be a committee to prepare a petition to the house of commons of Great Britain, and lay the same before the congress on Monday next.

Then the congress adjourned to Monday next, at 12 o'clock.

*Monday, Oct. 21st, 1765, A.M.*—The committee appointed to prepare and bring in an address to his majesty, did report, that they have essayed a draught for that purpose, which they laid on the table, and humbly submitted to the correction of the congress.

The said address was read, and, after sundry amendments, the same was approved of by the congress, and ordered to be engrossed.

The committee, appointed to prepare and bring in a memorial and petition to the lords in parliament did report that they had essayed a draught for that purpose, which they laid on the table, and humbly submitted to the correction of the congress.

The said address was read, and after sundry amendments, the same was approved of by the congress, and ordered to be engrossed.

The committee appointed to prepare and bring in a petition to the house of commons of Great Britain, did report that they had essayed a draught for that purpose, which they laid on the table, and humbly submitted to the correction of the congress.

The said address was read, and after sundry amendments, the same was approved of by the congress and ordered to be engrossed.



Then the congress adjourned to to-morrow morning, at 9 o'clock.

*Tuesday, Oct 22d, 1765, A. M.*—The congress met according to adjournment. The address to his majesty being engrossed, was read and compared, and is as follows, viz:

*To the king's most excellent majesty,*

The petition of the freeholders and other inhabitants of the Massachusetts Bay, Rhode Island and Providence Plantations, New Jersey, Pennsylvania, the government of the counties of New-Castle, Kent and Sussex upon Delaware, and province of Maryland, &c.

*Most humbly sheweth,*

That the inhabitants of these colonies, unanimously devoted with the warmest sentiments of duty and affection to your sacred person and government, and inviolably attached to the present happy establishment of the protestant succession in your illustrious house, and deeply sensible of your royal attention to their prosperity and happiness, humbly beg leave to approach the throne, by representing to your majesty, that these colonies were originally planted by subjects of the British crown; who, animated with the spirit of liberty, encouraged by your majesty's royal predecessors, and confiding in the public faith for the enjoyment of all the rights and liberties essential to freedom, emigrated from their native country to this continent, and, by their successful perseverance, in the midst of innumerable dangers and difficulties, together with a profusion of their blood and treasure, have happily added these vast and extensive dominions to the empire of Great Britain.

That, for the enjoyment of these rights and liberties, several governments were early formed in the said colonies, with full power of legislation, agreeably to the principles of the English constitution;—that, under those governments, these liberties, thus vested in their ancestors, and transmitted to their posterity, have been exercised and enjoyed, and by the inestimable blessings thereof, under the favor of Almighty God, the inhospitable deserts of America have been converted into flourishing countries; science, humanity and the knowledge of divine truths diffused through remote regions of ignorance, infidelity, barbarism; the number of British subjects wonderfully increased, and the wealth and power of Great Britain proportionably augmented.

That, by means of these settlements and the unparalleled success of your majesty's arms, a foundation is now laid for rendering the British empire the most extensive and powerful of any recorded in history; our connection with this empire we esteem our greatest happiness and security, and humbly conceive it may now be so establihed by your royal wisdom, as to endure to the latest period of time; this, with the most humble submission to your majesty, we apprehend will be most effectually accomplished by fixing the pillars thereof on liberty and justice, and securing the inherent rights and liberties of your subjects here, upon the principles of the English constitution. To this constitution, these two principles are essential; the right of your faithful subjects freely to grant to your majesty such aids

as are required for the support of your government over them, and other public exigencies, and trials by their peers. By the one they are secured from unreasonable impositions, and by the other from the arbitrary decisions of the executive power. The continuation of these liberties, to the inhabitants of America, we ardently implore, as absolutely necessary to unite the several parts of your wide extended dominions, in that harmony so essential to the preservation and happiness of the whole. Protected in these liberties, the emoluments Great Britain receives from us, however great at present, are inconsiderable, compared with these she has the fairest prospect of acquiring. By this protection, she will forever secure to herself the advantages of conveying to all Europe, the merchandize which America furnishes, and for supplying, through the same channel, whatsoever is wanted from thence. Here opens a boundless source of wealth and naval strength. Yet these immense advantages, by the abridgement of those invaluable rights and liberties, by which our growth has been nourished, are in danger of being forever lost, and our subordinate legislatures in effect rendered useless by the late acts of parliament imposing duties and taxes on these colonies, and extending the jurisdiction of the courts of admiralty here, beyond its ancient limits; statutes, by which your majesty's commons in Britain undertake absolutely to dispose of the property of their fellow subjects in America without their consent, and for the enforcing whereof, they are subjected to the determination of a single judge, in a court unrestrained by the wise rules of the common law, the birthright of Englishmen, and the safeguard of their persons and properties.

The invaluable rights of taxing ourselves and trial by our peers, of which we implore your majesty's protection, are not, we most humbly conceive, unconstitutional, but confirmed by the Great Charter of English liberties. On the first of these rights the honorable house of commons found their practice of originating money; a right enjoyed by the kingdom of Ireland, by the clergy of England, until relinquished by themselves; a right, in fine, which all other your majesty's English subjects, both within and without the realm, have hitherto enjoyed.

With hearts, therefore, impressed with the most indelible characters of gratitude to your majesty, and to the memory of the kings of your illustrious house, whose reigns have been signally distinguished by their auspicious influence on the prosperity of the British dominions, and convinced by the most affecting proofs of your majesty's paternal love to all your people, however distant, and your unceasing and benevolent desires to promote their happiness, we most humbly beseech your majesty that you will be graciously pleased to take into your royal consideration the distresses of your faithful subjects on this continent, and to lay the same before your majesty's parliament, and to afford them such relief, as in your royal wisdom their unhappy circumstances shall be judged to require.

And your petitioners will pray, &c.

The memorial to the lords in parliament being engrossed, was read and compared, and is as follows, viz:

*To the right honorable the lords spiritual and temporal of Great Britain, in parliament assembled,*

The memorial of the freeholders and other inhabitants of the Massachusetts Bay, Rhode Island and

South Carolina, we presume, is omitted in the copy.—[En.

Providence Plantations, New-Jersey, Pennsylvania, the government of the counties of New-Castle, Kent and Sussex upon Delaware, and province of Maryland, in America,

*Most humbly sheweth,*

That his majesty's liege subjects in his American colonies, though they acknowledge a due subordination to that august body, the British parliament, are entitled, in the opinion of your memorialists, to all the inherent rights and liberties of the natives of Great Britain, and have, ever since the settlement of the said colonies, exercised those rights and liberties, as far as their local circumstances would permit.

That your memorialists humbly conceive that one of the most essential rights of these colonists, which they have ever till lately uninterruptedly enjoyed, to be trial by jury.

That your memorialists also humbly conceive another of these essential rights, to be the exemption from all taxes, but such as are imposed on the people by the several legislatures in these colonies, which rights they have also, till of late enjoyed. But your memorialists humbly beg leave to represent to your lordships, that the act for granting certain stamp duties in the British colonies in America, &c. fills his majesty's American subjects with the deepest concern, as it tends to deprive them of the two fundamental and invaluable rights and liberties above-mentioned; and that several other late acts of parliament, which extend the jurisdiction and power of courts of admiralty in the plantations beyond their limits in Great Britain, thereby make an unnecessary, unhappy distinction, as to the modes of trial between us and our fellow subjects there, by whom we never have been excelled in duty and loyalty to our sovereign.

That, from the natural connection between Great Britain and America, the perpetual continuance of which your memorialists most ardently desire, they conceive that nothing can conduce more to the interest of both, than the colonists free enjoyment of their rights and liberties, and an affectionate intercourse between Great Britain and them. But your memorialists (not waving their claim to these rights, of which, with the most becoming veneration and deference to the wisdom and justice of your lordships, they apprehend, they cannot reasonably be deprived) humbly represent, that from the peculiar circumstances of these colonies, the duties imposed by the aforesaid act, and several other late acts of parliament, are extremely grievous and burthensome; and the payment of the several duties will very soon, for want of specie, become absolutely impracticable; and that the restrictions on trade by the said acts, will not only distress the colonies, but must be extremely detrimental to the trade and true interest of Great Britain.

Your memorialists, therefore, impressed with a just sense of the unfortunate circumstances of the colonies, the impending destructive consequences which must necessarily ensue from the execution of these acts, and animated with the warmest sentiments of filial affection for their mother country, most earnestly and humbly entreat your lordships will be pleased to hear their council in support of this memorial, and take the premises into your most serious consideration, and that your lordships will also be thereupon pleased to pursue, such measures for restoring the just rights and liberties of the colonies, and preserving them forever inviolate, for redressing their present, and preventing

future grievances, thereby promoting the united interest of Great Britain and America, as to your lordships, in your great wisdom, shall seem most conducive and effectual to that important end.

And your memorialists will pray, &c.

Then the congress adjourned to to-morrow morning, 9 o'clock.

*Wednesday, Oct. 23d 1765, A. M.*—The congress met according to adjournment.

The petition to the house of commons being engrossed, was read and compared, and is as follows, viz:

*To the honorable the knights, citizens and burghesses of Great Britain, in parliament assembled.*

The petition of his majesty's dutiful, loyal subjects, the freeholders and other inhabitants of the colonies of the Massachusetts Bay, Rhode-Island and Providence Plantations, New-Jersey, Pennsylvania, the government of the counties of New-Castle, Kent and Sussex upon Delaware, and province of Maryland, in America,

*Most humbly sheweth,*

That the several late acts of parliament, imposing divers duties and taxes on the colonies, and laying the trade and commerce under very burthensome restrictions, but, above all, the act for granting and applying certain stamp duties in America, have filled them with the deepest concern and surprize, and they humbly conceive the execution of them will be attended with consequences very injurious to the commercial interest of Great Britain and her colonies, and must terminate in the eventual ruin of the latter. Your petitioners, therefore, most ardently implore the attention of the honorable house to the united and dutiful representation of their circumstances, and to their earnest supplications for relief from their regulations, that have already involved this continent in anxiety, confusion and distress. We most sincerely recognize our allegiance to the crown, and acknowledge all due subordination to the parliament of Great Britain, and shall always retain the most grateful sense of their assistance and approbation; it is from and under the English constitution we derive all our civil and religious rights and liberties; we glory in being subjects of the best of kings, having been born under the most perfect form of government. But it is with the most ineffable and humiliating sorrow that we find ourselves of late, deprived of the right of granting our own property for his majesty's service, to which our lives and fortunes are entirely devoted, and to which, on his royal requisitions, we have been ready to contribute to the utmost of our abilities.

We have also the misfortune to find, that all the penalties and forfeitures mentioned in the stamp act, and divers late acts of trade extending to the plantations, are, at the election of the informers, recoverable in any court of admiralty in America. This, as the newly erected court of admiralty has a general jurisdiction over all British America, renders his majesty's subjects in these colonies, liable to be carried at an immense expense from one end of the continent to the other. It always gives us great pain to see a manifest distinction made therein between the subjects of our mother country and the colonies, in that the like penalties and forfeitures recoverable there only in his majesty's courts of record, are made cognizable here by a court of ad-

miralty. By this means we seem to be, in effect, unhappily deprived of two privileges essential to freedom, and which all Englishmen have ever considered as their best birth rights; that of being free from all taxes but such as they have consented to in person, or by their representatives, and of trial by their peers.

Your petitioners further shew, that the remote situation and other circumstances of the colonies, render it impracticable that they should be represented but in their respective subordinate legislatures, and they humbly conceive that the parliament adhering strictly to the principle of the constitution, have never hitherto taxed any but those who were therein actually represented: for this reason, we humbly apprehend, they never have taxed Ireland, nor any other of the subjects without the realm.—But were it ever so clear, that the colonies might in law be reasonably represented in the honorable house of commons, yet we conceive that very good reasons from inconvenience, from the principles of true policy, and from the spirit of the British constitution, may be adduced to shew, that it would be for the real interest of Great Britain, as well as her colonies, that the late regulations should be rescinded, and the several acts of parliament imposing duties and taxes on the colonies, and extending the jurisdiction of the courts of admiralty here beyond their ancient limits, should be repealed.

We shall not attempt a minute detail of all the reasons which the wisdom of the honorable house may suggest, on this occasion, but would humbly submit the following particulars to their consideration.—

That money is already very scarce in these colonies, and is still decreasing by the necessary exportation of specie from the continent for the discharging of our debts to British merchants, that an immensely heavy debt is yet due from the colonies for British manufactures, and that they are still heavily burthened with taxes to discharge the arrearages due for aids granted by them in the late war; that the balance of trade will ever be much against the colonies, and in favor of Great Britain, whilst we consume her manufactures; the demand of which must ever increase in proportion to the number of inhabitants settled here, with the means of purchasing them. We therefore humbly conceive it to be the interest of Great Britain to increase rather than diminish those means, as the profit of all the trade of the colonies ultimately centre there to pay for her manufactures, as we are not allowed to purchase elsewhere, and by the consumption of which, at the advanced prices the British taxes oblige the makers and vendors to set on them, we eventually contribute very largely to the revenues of the crown.

That, from the nature of American business, the multiplicity of suits and papers used in matters of small value, in a country where freeholds are so minutely divided, and property so frequently transferred, a stamp duty must be ever very burthensome and unequal.

That it is extremely improbable that the honorable house of commons should at all times be thoroughly acquainted with our condition, and all facts requisite to a just and equal taxation of the colonies.

It is also humbly submitted whether there be not a material distinction, in reason and sound policy at least, between the necessary exercise of parliamentary jurisdiction in general acts, and the common

law, and the regulations of trade and commerce, through the whole empire, and the exercise of that jurisdiction by imposing taxes on the colonies.

That the several subordinate provincial legislatures have been moulded into forms as nearly resembling that of the mother country, as by his majesty's royal predecessors was thought convenient; and these legislatures seem to have been wisely and graciously established, that the subjects in the colonies might, under the due administration thereof, enjoy the happy fruits of the British government, which in their present circumstances they cannot be so fully and clearly availed of any other way.

Under these forms of government we and our ancestors have been born or settled, and have had our lives, liberties and properties protected; the people here as every where else, retain a great fondness of their old customs and usages, and we trust that his majesty's service, and the interest of the nation, so far from being obstructed, have been vastly promoted by the provincial legislatures.

That we esteem our connection with and dependence on Great Britain, as one of our greatest blessings; and apprehend the latter will be sufficiently secure, when it is considered that the inhabitants in the colonies have the most unbounded affection for his majesty's person, family and government, as well as for the mother country, and that their subordination to the parliament is universally acknowledged.

We, therefore, most humbly intreat that the honorable house would be pleased to hear our council in support of this petition, and take our distressed and deplorable case into their serious consideration, and that the acts and clauses of acts so grievously restraining our trade and commerce, imposing duties and taxes on our property, and extending the jurisdiction of the court of admiralty beyond its ancient limits, may be repealed; or that the honorable house would otherwise relieve your petitioners as in your great wisdom and goodness shall seem meet.

And your petitioners shall ever pray &c.

Then the congress adjourned until to-morrow morning, 10 o'clock.

*Thursday, Oct. 24th, 1765, A. M.*—The congress met according to adjournment.

The congress took into consideration the manner in which their several petitions should be preferred and solicited in Great Britain, and thereupon came to the following determination, viz:

It is recommended by the congress to the several colonies to appoint special agents for soliciting relief from their present grievances, and to unite their utmost interest and endeavors for that purpose.

Voted unanimously, that the clerk of this congress sign the minutes of their proceedings, and deliver a copy for the use of each colony and province.

By order of the congress,

JOHN COTTON, clerk

A copy of the proceedings of the province of New-Hampshire, as transmitted to the congress.

Province of *In the house of representatives,*  
New-Hampshire, *June 29th, 1765.*

Mr. Speaker laid before the house a letter from the honorable speaker of the honorable representatives of the province of the Massachusetts Bay, to the speaker of this assembly, proposing a meeting of committees from the several assemblies of the British colonies on the continent, at New-York, to consider of a general, united, dutiful, loyal and humble representation of our committees, and for imploring his majesty and the parliament for relief; which being read,

*Resolved,* That, notwithstanding we are sensible that such a representation ought to be made, and approve of the proposed method for obtaining thereof, yet the present situation of our governmental affairs, will not permit us to appoint a committee to attend such meeting; but shall be ready to join in any address, to his majesty and the parliament we may be honored with the knowledge of, probable to answer the proposed end.

A. CLARKSON, clerk.

A copy of a letter received from Georgia, during the sitting of the congress:

*Savannah, in Georgia, September 6th, 1765.*

SIR—Your letter dated in June last, acquainting me that the house of representatives of your province, had unanimously agreed to propose a meeting at the city of New-York, of committees from the houses of representatives of the several British colonies on this continent, on the first Tuesday in October next, to consult together on the present circumstances of the colonies, and the difficulties to which they are and must be reduced by the operation of the acts of parliament, for laying duties and taxes on the colonies, and to consider of an humble representation of their condition to his majesty and the parliament, and to implore relief, came to hand at an unlucky season, it being in the recess of the general assembly of this province. Nevertheless, immediately upon the receipt of your letter, I dispatched expresses to the several representatives of this province, acquainting them with the purport thereof, and requesting them to meet at this place without delay.

And according they met here on Monday last, to the number of sixteen, being a large majority of the representatives of this province; the whole consisting of twenty-five persons, but his excellency our governor, being applied to, did not think it expedient to call them together on the occasion; which is the reason of not sending a committee as proposed by your house, for you may be assured, no representatives on this continent can more sincerely concur in the measures proposed, than do the representatives of the province now met together; neither can any people, as individuals more warmly espouse the common cause of the colonies, than do the people of this province.

The gentlemen now present, request it as a favor, you'll be pleased to send me a copy of such representation as may be agreed upon by the several committees at New-York, and acquaint me how, and in what manner the same is to be laid before the king and parliament; whether by any person particularly authorized for that purpose, or by the colony agents? The general assembly of this province stands prorogued to the 22d day of October next, which is the time it generally expects for the dis-

patch of the ordinary business of the province; and I doubt not the representatives of this province will then, in their legislative capacity, take under consideration the grievances so justly complained of, and transmit their sense of the same to Great Britain, in such way as may seem best calculated to obtain redress, and so as to convince the sister colonies of their inviolable attachment to the common cause.

I am, sir, your most obedient and most humble servant,

ALEX. WYLLY.

To Samuel White, esqr. speaker of the }  
house of representatives of Massachu- }  
setts Bay, in New-England.

The two foregoing letters, are true copies from the original.

Attest,

JOHN COTTON, clerk.

NEW-JERSEY.

The following instructions, from the legislature of this state to its delegates in congress, 1777, will be perused with pleasure by all who cherish the principles and revere the worthies of the revolution. We have copied them, by permission of the secretary of state, from the journals of the joint meeting.

[*Trenton True American.*]

*The council and assembly of the state of New-Jersey, in joint meeting,*

To the hon. John Witherspoon, Abraham Clark, Jonathan Elmer, Nathaniel Scudder and Elias Boudinot, esquires, and each and every of you:

We have called you to the important and interesting service of representing this state in the congress of the United States of North America. A higher proof cannot be given of the confidence we repose in your abilities and integrity; and we rest assured your best endeavors will, at all times, be exerted to promote the freedom, independence, and happiness of the whole union, particularly to that part to which you stand in more immediate relation.

Numerous and diversified as the objects of your attention will be, we attempt not to point out either the line or the extent of your mission. Keep in constant view the cause of your delegation, and let all your conduct be directed to the general good and the prosperity of your country. We cannot, however, omit the following particulars, suggested by the present posture of affairs, and to which we require you carefully to attend.

1. We hope you will habitually bear in mind that the success of the great cause in which the United States are engaged, depends upon the favor and blessing of Almighty God, and, therefore, you will neglect nothing which is competent to the assem-

bly of the states, for promoting piety and good morals among the people at large. But, especially, we desire that you may give attention to this circumstance in the government of the army, taking care that such of the articles of war as forbid profaneness, riot and debauchery, be observed and enforced with all due strictness and severity. This, we apprehend, is absolutely necessary for the encouragement and maintenance of good discipline, and will be a means of recruiting the army with men of credit and principle—an object ardently to be wished, but not to be expected, if the warmest friends of their country should be deterred from sending their sons and connections into the service, lest they should be tainted with impious and immoral notions, and contract vicious habits.

2. We have no doubt that, as guardians of the state of New-Jersey, you will be particularly attentive to its interests; but we also expect you will be watchful to guard against every thing which will be hurtful to the general union, or injurious to the common interests of the United States. Extinguish, by all means in your power, the least appearance of jealousy in its earliest rise. Discountenance all local and partial reflections in every instance, and reprove, by your example, and suppress, as far as your authority extends, party feuds and factions, be the offenders who they may.

3. Let the wants of the soldiery be amply supplied and due provision made for their health and comfort; and, as we think this can be done, so we wish it always may, in such manner as to guard the civil rights of the people against military encroachment, and the arbitrary oppression of officers of the army, or of persons employed in the commissary's, quarter-master's or hospital departments. We contemplate with concern, the slightest appearance of such an evil, and wish you to take proper pains to prevent it. This state is forwardly disposed to use every exertion in behalf of their troops, and, as far as can reasonably be expected, of the army in general; but we desire, when a requisition for this effect is necessary, it may be seasonably made, without waiting till the very hour of necessity, when it is impossible to take due and legal means of complying with it so as to answer any good purpose.

4. We desire you may be cautious of multiplying offices, or the number of the officers in the several continental departments, and thereby unnecessarily increasing the public expense. Especially, you will use your utmost influence that the departments be filled with men of probity, principle, and discre-

tion, well qualified in point of capacity, and of unsuspected attachment to the liberties of America. We need not urge the reasons for calling your attention to this object, they are daily before your eyes.

5. We recommend the immediate completing of the establishment for wounded and disabled soldiers and seamen, by extending it to the militia in the continental service, and making some provision for the widows and children of those who fall in battle, or die in the service, whether in the regular or militia troops. The necessity of a law, in this as well as the several states in the union, grounded upon such establishment, requires that it be attended to as speedily as possible.

6. You are to take the earliest opportunity of having some effectual mode adopted for negotiating the exchange of citizens and civil prisoners, no adequate provisions being, as we conceive, made for this end in the cartel now subsisting. Numbers of civil officers, inhabitants and subjects of this state, in captivity, and, we doubt not, the case is similar in other states, where the operations of war have extended, not being taken in arms, and, therefore, not within the description of prisoners of war, are languishing in gaols and chains, under the power of the enemy, without the means or hope of relief. As their sufferings are in consequence of their zeal and activity in the common cause, they are entitled to the most vigorous exertions of their country in their behalf.

7. The great irregularities and abuses which have been, and continue to be, committed in this state, and, probably, in others where the army hath been, or now is, by the impressing horses, teams and carriages, and taking provisions, forage and fuel for the troops on march or in camp, and in delaying, neglecting, or totally refusing, upon the application of the inhabitants, with their receipts or certificates, to those whose duty it is to make satisfaction, have given rise to such universal uneasiness and complaint, that it cannot have escaped your notice. The ill consequences of such a grievance, not only to individuals, but to the cause in general, are so obvious, we need only remind you of it, and desire you would use your endeavors to procure a speedy remedy.

8. We wish you to consider whether it may not be advisable, and even necessary, that congress digest and recommend to the several states, some general plan for a treason law, lest inconveniences and difficulties should arise from such laws being drawn in different forms and settled on different princi-

ples, either as to the crimes or penalty, in the different states; and particularly that treason against the union may be properly described, and the punishment thereof suitably defined. Such a general foundation being once laid, the law can be varied and accommodated, if necessary, to the local and special circumstances of each state, without substantially departing from it.

9. That your attendance on the duties of your appointment may be the more easy and convenient, and that you may have leisure and opportunity occasionally to attend to your domestic concerns, from which, otherwise, you must have been totally abstracted, we have made the representation to consist of five, some three to be constantly present in congress, unless when precluded by unavoidable accident. And that the state may not be put to unnecessary expense, not more than three are to attend at the same time.

By order of the joint-meeting,

JOHN STEVENS, *Chairman.*

*Princeton, December 4, 1777.*

FROM THE SALEM (N. J.) MESSENGER, AUG. 15th.

The following correspondence, which passed between the commanding officers of the British troops and American militia, at this place, in the time that "tried mens souls," in the revolutionary struggle, was handed us by a venerable old man; who bore the fatigues and privation of a soldier in those days. It was presented for publication, for the purpose of reviving and keeping alive our gratitude to those who so nobly contended for liberty, and adoration to the supreme ruler of the universe, for causing the seemingly just, though apparently weaker power, to prevail. The proposal of the British commander is cruel and insulting: the answer ingenious and bold. They are as follows:

"Colonel Mawhood, commanding a detachment of the British army at Salem, induced by motives of humanity, proposes to the militia at Quinton's Bridge and the neighborhood, as well officers as private men, to lay down their arms and depart, each man to his own home; on that condition he solemnly promises to re-embark his troops without delay, doing no further damage to the country, and he will cause his commissaries to pay for the cattle, hay and corn, that have been taken, in sterling money.

"If, on the contrary, the militia should be deluded and blind to their true interest and happiness, he will put the arms which he has brought with

him, into the hands of the inhabitants well affected, called tories, and will attack all such of the militia as remain in arms; burn and destroy their houses and other property, and reduce them, their unfortunate wives and children to beggary and distress. —And, to convince them that these are not vain threats, he has subjoined a list of the names of such as will be the first objects to feel the vengeance of the British nation.

"Given under my hand at head-quarters, Salem, 21st day of March, 1778.

CS. MAWHOOD, Col."

*Answer of the colonel of militia.*

"SIR—I have been favored with what you say humanity has induced you to propose. It would have given me much pleasure to have found that humanity had been the line of conduct to our troops since you have come to Salem. Not only denying quarters, but butchering our men who surrendered themselves prisoners in the skirmish at Quinton's Bridge last Thursday: and bayoneting yesterday morning, at Hancock's Bridge, in the most cruel manner, in cold blood, men, who were taken by surprise, in a situation in which they neither could nor did attempt to make any resistance; and some of whom were not fighting me, are instances too shocking for me to relate, and I hope for you to hear. The brave are ever generous and humane! After expressing your sentiments of humanity, you proceed to make a request which I think you would despise us if we complied with. Your proposal that we should lay down our arms, we absolutely reject. We have taken them up to maintain rights, which are dearer to us than our lives, and will not lay them down, till either success has crowned our cause with victory, or like many ancient worthies contending for liberty, we meet with an honorable death.—You mention, that if we reject your proposal, you will put arms into the hands of the tories against us. We have no objections to the measure, for it would be a very good one to fill our arsenals with arms. Your threat to wantonly burn and destroy our houses and other property, and reduce wives and children to beggary and distress, is a sentiment which my humanity almost forbids me only to recite! and induces me to imagine that I am reading the cruel order of a barbarous Attila, and not of a gentlemen, brave, generous and polished with a genteel European education.—To wantonly destroy will injure your cause more than ours. It will increase your enemies and our army. To destine to destruction the property of our most distinguished men, as you have done in your proposal, is, in my opinion, unworthy a gener-

ous foe, and more like a rancorous feud between two contending barons, than a war carried on by one of the greatest powers on earth against a people nobly struggling for liberty. A line of honor would mark out that these men should share the fate of their country. If your arms should be crowned with victory, which God forbid, they and their property will be entirely at the disposal of your power, will only make them desperate, and, as I said before, increase your foes and our army; and retaliation upon Tories and their property is not entirely out of our power. Be assured that these are the humble sentiments and determined resolution not only of myself, but of all the officers and privates under me.

"My prayer is, sir, that this answer may reach you in good health and happiness.

"Given at head-quarters, at Quinton's Bridge, March 23d, 1778.

ELIJAH HAND, Colonel.

"To Co. Mawhood, Colonel."

#### FROM THE BOSTON CENTINEL.

Mr. Russell.—On reading in your last Wednesday's Centinel, an extract from Mr. Knapp's biography of Warren, it reminded me of some circumstances, not mentioned by him, which occurred at the "Old South" on the 5th of March, 1775, which was the anniversary of the massacre of several inhabitants of the town of Boston by the British troops, in 1770.

Mr. Hancock had delivered an oration the preceding year on the same occasion, in the course of which he had made the following observations:—

"Standing armies are sometimes (I would by no means say generally, much less universally) composed of persons who have rendered themselves unfit to live in civil society; who have no other motives of conduct than those which a desire of the present gratification of their passions suggests; who have no property in any country; men who have lost or given up their own liberties, and envy those who enjoy liberty; who are equally indifferent to the glory of a George or a Louis; who for the addition of one penny a day to their wages, would desert from the Christian cross, and fight under the crescent of the Turkish sultan. From such men as these what has not a state to fear?—With such as these usurping Cæsar passed the Rubicon; with such as these he humbled mighty Rome, and forced the mistress of the world to own a master in a traitor. These are the men whom sceptered robbers now employ to

frustrate the designs of God, and render vain the bounties which his gracious hand pours indiscriminately upon his creatures. By these the miserable slaves in Turkey, Persia, and many other extensive countries, are rendered truly wretched, though their air is salubrious, and their soil luxuriously fertile. By these France and Spain, though blessed by nature with all that administers to the convenience of life, have been reduced to that contemptible state in which they now appear; and by these Barma ———!!! but if I was possessed of the gift of prophecy, I dare not, except by Divine command, unfold the leaves on which the destiny of that once powerful kingdom is inscribed."

At that time there were no British troops in Boston; four regiments, however, shortly after arrived, the officers of which expressed the most decided detestation of the above inserted quotation, and as Mr. Knapp says, "threatened vengeance on any orator, who should dare to repeat such sentiments." When Warren delivered his Oration the following year, in defiance of those threats, the British army had been reinforced to nearly ten thousand men, and more than an hundred of the officers attended secretly armed, for the purpose of taking revenge on the utterance of any sentiment, which should be obnoxious to them.

The writer of this article was standing in the broad aisle, near the upper end, and saw Capt. Chapsin, of the Royal Welch Fusiliers, on the lowest step of the pulpit stairs, playing with *three pistol bullets* in his right hand, and occasionally casting looks of contempt on the orator, but more particularly on William Cooper, esq. the town-clerk, who was seated near him, directly under the pulpit. Mr. Cooper maintained a firm and undaunted countenance, and returned his looks with disdain. I never look back upon that scene without horror, in the contemplation of the danger we were then in of a much more horrid massacre than the one we were then commemorating. A trifle, lighter than air, would have deluged that church, in the minds of both parties, it has always been a wonder to me that the war did not commence on that day.

The 47th regiment, (*it was supposed by design*), passed the church at this time, the drums beating with redoubled force. This regiment was commanded by the infamous colonel Nesbit, who, a few days after, caused an innocent man to be tarred and feathered, and carted through the principal streets in open day, and headed the party ~~armies~~!!! followed by some grenadiers and the whole band of the regiment, in defiance of that law which he was ostensibly sent to protect.

After the orator had made some remarks on the massacre of the 5th March, 1770, he said—

"And could it have been conceived that we again should have seen a British army in our land, sent to enforce obedience to acts of parliament destructive of our liberty? But the royal ear, far distant from this western world, has been assaulted by the tongue of SLANDER; and VILLAINS, TRAITOROUS alike to KING and COUNTRY, have prevailed upon a gracious prince to clothe his countenance with wrath, and to erect the hostile banner against a people ever affectionate and loyal to him and his illustrious predecessors of the house of Hanover. Our streets are again filled with armed men; our harbor is crowded with ships of war, but these cannot intimidate us; our liberty must be preserved; it is far dearer than life, we hold it even dear as our allegiance; we must defend it against the attacks of friends as well as enemies; we cannot suffer even Britons to ravish it from us."

While this sentence was repeating, captain Chapman exclaimed—*Fire! Fire!* It was at first supposed that *rum* was cried, which occasioned a momentary disturbance—when William Cooper rose from his chair, and, with a voice truly Stentorian, vociferated that "there was no fire, but the fire of envy, burning in the hearts of our enemies, which he hoped soon to see extinguished," looking with indignation on Chapman, Hawkes and other officers who were near him.

I could enlarge on this subject, Mr. Russell, but as I have already extended my remarks beyond my original intentions, and I fear encroached on your patience, I will subscribe myself

AN OLD BOSTONIAN.

*From the Village Record, Nov. 7, 1821.*

This week the Journal of capt. Davis is brought to a close. The event to which it particularly relates is the most important in our military annals. It is not recollected that the general orders, issued during the investment of Cornwallis, were ever before published.

JOURNAL OF CAPT. DAVIS.

Oct. 12.—A tremendous fire from both sides.

*Head-quarters, Oct. 12, 1781.*

For to-morrow.

M. G. M. La Fayette,

B. G. Muhlenburgh.

The Marquis' division will mount in the trenches to-morrow. The superintendant of the deposite of the trenches, is required to have the quality of salisoon, fascines and gabions brought to the deposite,

accurately inspected; to reject such as are not fit for use, and report the corps that offer them.

13—Two Hessian deserters came in; every thing favorable.

*Head-quarters, Oct. 13, 1781.*

For to-morrow.

B. G. Wayne and

Gist's brigade.

14.—This morning a deserter says the infantry refuse doing duty. That Cornwallis promised them they would be relieved from New-York, and give each reg. a pipe of wine.

The marquis, at dark, stormed their river battery, and baron viscount Viomnel stormed another on their extreme, to the left, with little loss. We run our second parallel complete.

*Head-quarters, Oct. 14, 1781.*

For to-morrow.

M. G. Lincoln,

B. G. Clinton.

Maj. general Lincoln's division will mount the trenches to-morrow.

The effects of the late col. Scammel will be disposed of at public sale, to-morrow at 3 o'clock, P. M. at maj. Rice's tent, in gen. Hayne's Brigade.

15—This night the enemy made a sally and imposed themselves on the French for Americans; forced their works and made themselves masters of an American battery which they spiked. Imposition being found out, they retired, with eight men killed on the spot.

*Head quarters, Oct. 15, 1781.*

For to-morrow.

M. G. M. La Fayette,

D. G. Muhlenburg and

Hayne's brigade.

Maj. gen. La Fayette's division will mount the trenches to-morrow.

The commander in chief congratulates the army on the success of the enterprize against the two important works on the left of the enemy's lines. He requests the baron Viomnel, who commanded the French grenadiers and chasseurs, and marquis La Fayette, who commanded the American light infantry, to accept his warmest acknowledgments for the excellency of their dispositions and their own gallant conduct on the occasion; and he begs them to present his thanks to every individual officer, and to the men of their respective commands, for the spirit and rapidity with which they advanced to the attacks assigned them, and for the admirable firmness with which they supported them, under the fire of the enemy, without returning a shot.



The general reflects with the highest degree of pleasure on the confidence which the troops of the two nations must hereafter have in each other.—Assured of mutual support, he is convinced there is no danger which they will not cheerfully encounter—no difficulty which they will not bravely overcome.

The troops will be supplied with fresh beef to Thursday next, inclusive; they will receive 3 pints of salt to every 100 rations, for their allowance of Wednesday and Thursday.

16.—Our batteries completing very fast.

*Head-quarters, Oct. 16, 1781.*

For to-morrow.

M. G. B. Steuben,

B. G. Wayne and

Gist's brigade.

Maj. gen. baron Steuben's division will mount in the trenches to-morrow.

The commander in chief having observed that the trenches are constantly crowded with spectators, who, by passing and repassing, prevent the men from working, and thereby greatly impede the operations of the siege. He therefore orders that no officer, who is not on duty, shall hereafter enter the trenches, except gen. officers and their aids, and that no inhabitant, or person not belonging to the army, be suffered to enter the trenches, at any time, without permission from the maj. general of the trenches.

In future the relief for the trenches are not to beat their drums after they pass the mill dam; they are from that place to march silently, with trailed arms and colours furled, until they arrive at their posts in the trenches.

Lieut. col. Dehart being relieved from his arrest, the court martial, of which col. Cortland is president, will proceed to the trial of the prisoners confined in the provost.

17.—At 11 o'clock, his lordship closes the scene by propositions for deputies from each army, to meet at Moore's house, to agree on terms for the surrender of York and Gloster. An answer was sent by 3 o'clock, when a cessation of arms took place.

*Head-quarters, Oct. 17, 1781.*

For the trenches to-morrow.

Maj. gen. Lincoln's Division.

18.—Flags alternately passing this day.

*Head-quarters, Oct. 18, 1781.*

For the trenches to-morrow.

Maj. gen. marquis La Fayette's division.

19.—At 1 o'clock this day, our troops marched in and took possession of their horn-works, and the British marched out. The American and French armies form a lane through which the British pass and ground their arms.

*Head-quarters, Oct. 19, 1781.*

For to-morrow.

M. G. Lincoln,

Col. Butler,

M. j. Woodson,

B. M. Blake.

Gen. Muhlenburg's brigade will hold itself in readiness for duty to-morrow.

20.—Lay quiet this day cleaning our arms.

*Head-quarters, Oct. 20, 1781.*

For to-morrow.

M. G. M. La Fayette,

Col. Stewart,

Maj. Bird,

M. M. Cox.

Brig. general Hayne's brigade for duty to-morrow, to parade at 10 o'clock on their own parade.

The general congratulates the army upon the glorious event of yesterday: the generous proofs which his most Christian majesty has given of his attachment to the cause of America, must force conviction in the minds of the most deceived among the enemy, relative to the decisive good consequences of the alliance; and inspire every citizen of these states with sentiments of the most unalterable gratitude. His fleet, the most numerous and powerful that ever appeared in those seas, commanded by an admiral whose fortune and talents insure success; an army of the most admirable composition, both in officers and men, are the pledges of his friendship to the United States, and their co-operation has secured us the present signal success.

The general, upon this occasion, entreats his excellency, count Rochambeau, to accept his most grateful acknowledgments for his council and assistance at all times. He presents his warmest thanks to the generals baron de Viomnel, chevalier Chastelleux, marquis de St Simon, count de Viomnel, and to brig. de Choisey, (who had a separate command), for the illustrious manner in which they have advanced the interest of the common cause. He requests the count de Rochambeau will be pleased to communicate to the army under his immediate command, the high sense he entertains of the distinguished merits of the officers and soldiers of every corps, and that he will present, in his name, to the regiment of Argenois and Dauponts, the pieces of brass ordnance captured by them, as a testimony

of their gallantry in storming the enemy's redoubts, on the night of the 14th inst. when officers and men so universally vied with each other in the exercise of every soldierly virtue.

The general's thanks to each individual of merit, would comprehend the whole army: but he thinks himself bound however by affection, duty and gratitude, to express his obligation to maj. gens. Lincoln, La Fayette and Steuben, for their dispositions in the trenches—to gen. Duportail and col. Carney for the vigor and knowledge which were conspicuous in their conduct of the attacks; and to gen. Knox and col. de Abberville for their great attention and fatigue in bringing forward the artillery and stores; and for their judicious and spirited management of them in the parallels. He requests the gentlemen above mentioned, to communicate his thanks to the officers and soldiers of their commands. Ingratitude, which the general hopes never to be guilty of, would be conspicuous in him, was he to omit thanking in the warmest terms his excellency governor Nelson, for the aid he has derived from him, and from the militia under his command; to whose activity, emulation and courage such applause is due; the greatness of the acquisition would be ample compensation for the hardships and hazards which they encountered with so much patriotism and firmness.

In order to diffuse the general joy in every breast, the general orders those men belonging to the army, who may now be in confinement, shall be pardoned, and join their respective corps.

21.—British marched out for their cantonments under militia guards.

22.—York affords very good Port-wine.

23.—Orders for the troops to hold themselves in readiness to march at the shortest notice.

24.—Marquis de St. Simon's troops embark their cannon.

25.—Demolish our works by brigades.

26.—Expectations of a supply of necessaries from the merchants of York and Gloster.

27.—Report says sir H. Clinton has embarked from New-York for Virginia.

28.—The American cannon put on board vessels for the head of Elk.

29.—Nothing material.

30.—I was on duty at Gloster.

31.—Col. Tarlton dismounted from his horse by an inhabitant, who claimed him in the midst of the street.

Nov. 1—A supply of clothing purchased by agents, appointed for that purpose.

2.—Distribution of the supplies.

3.—Orders for Pennsylvania and Maryland troops to march to-morrow for South Carolina.

4.—General beat at 8 o'clock. Tents struck and loaded. Troops march at 9.

#### DRAYTON'S MEMOIRS.

Among other extracts made from this work, and published in the Charleston Courier, we have selected the following:

The proceedings at Charleston to resist the operations of the stamp-act are very interesting. The commons house of assembly, having been assured of the stamp-act from Great Britain, endeavored to prevent it from being enforced by denying it official promulgation. This furnishes additional evidence that the colonists resorted to the chances of war, after having ineffectually tried every mode of redress. But fate, for wise purposes, had rendered remonstrance, argument, and even entreaty, unavailing.

"Having received the stamp-act, the lieut. governor, (in the absence in England of Thomas Boone, the governor), manifested a desire of complying with its requisitions, in causing it to be executed, (the governor of the province being, by the terms of the act, sworn to its due execution); but his powers at that time were insufficient to effectuate the same.

"Encouraged by this weakness, and by the public opinion which was hostile to the act, the members of assembly deliberated in what manner they might most embarrass and elude its operations.—And, as the best mode they could devise, they addressed the lieutenant governor on the occasion, requesting to be informed whether the stamp-act, said to have been passed in parliament, had been transmitted to him, and if it had, through what channel; and whether he had received it from a secretary of state, the lords of trade, or from any other authentic source? These were questions of a singular nature—however, his honor, from a desire to soften as much as possible the fermentations which existed, answered, he had received it from Thomas Boone, the governor of the province. The assembly replied, that, while Mr. Boone was out of the bounds of his government, they could not consider him in any other light than as a private gentleman; and the act being received through such a channel, was not sufficiently authentic, to place the lieutenant governor under the obligation of enforcing it.

"The stamps soon reached Charleston, and were deposited at Fort Johnson. The people, finding

the lieutenant governor and crown officers determined to circulate them, resolved to counteract all their movements, and obtain possession of the stamped paper.

"About one hundred and fifty volunteers were soon organized and armed for the purpose; and two nights after, boats being provided at Lamboll's bridge, on the west end of South Bay, they formed and marched towards that place for embarkation. From thence, they proceeded in boats across Ashley river, and landed, after twelve o'clock at night, on James' Island, between Style's plantation and the fort. They then proceeded towards the fort, and halting at a small distance from it, a reconnoitering party was sent forward. This party proceeded to the draw-bridge unnoticed, or challenged by sentries; and finding it down, through the omission of the garrison, they immediately returned and reported the same.

"The whole body of volunteers then advanced upon the fort; and arriving at the bridge, they crossed it without opposition—pressed through the inner gate, which was not secured, and immediately possessed themselves of the fort. Only one soldier was found awake; and before he could give the alarm, the remainder of the garrison was secured, except Lloyd, its commander, who had not slept there that night. The garrison were then placed under a guard—the bridge was drawn up—and a search commenced for the obnoxious stamped paper. This, to the great joy of the volunteers, was at length found in one of the rooms of the barracks, and a guard was placed over it. Preparations were then made for maintaining the fort against any attack which might be made upon it by the sloop of war, when day light should arrive; and for this purpose, the cannon on the platforms were loaded with ball and grape shot, matches were provided, and a number of men were stationed at each gun; and a flag, shewing a blue field, with three white crescents, which the volunteers had brought with them for the purpose, was hoisted on the flag staff of the fort.

#### GENERAL WARREN.

[It is well remembered, that this ardent patriot twice mounted the rostrum to address his fellow citizens on the subject of the massacre of the 5th of March; but the occasion of his second appointment for that purpose is not generally known—Mr. KNAPP, in his "biographical sketches," just published, has given the following very interesting explanation of it, which is in concur-

rence with the daring spirit of the man, who was always foremost in danger.]

"His next oration was delivered March 5th, 1773. It was at his own solicitation that he was appointed to the duty a second time. The fact is illustrative of his character, and worthy of remembrance.—Some British officers of the army then in Boston, had publicly declared that it should be at the price of the life of any man to speak of the event of March 5, 1770, on that anniversary. Warren's soul took fire at such a threat, so openly made, and he wished for the honor of braving it. This was readily granted, for at such a time a man would probably find but few rivals. Many who would spurn the thought of personal fear, might be apprehensive that they would be so far disconcerted as to forget their discourse. It is easier to fight bravely, than to think clearly or correctly in danger.—Passion sometimes nerves the arm to fight, but disturbs the regular current of thought. The day came, and the weather was remarkably fine. The Old South meeting-house was crowded at an early hour. The British officers occupied the aisles, the flight of steps to the pulpit, and several of them were within it. It was not precisely known whether this was accident or design. The orator, with the assistance of his friends, made his entrance at the pulpit window by a ladder. The officers, seeing his coolness and intrepidity, made way for him to advance and address the audience. An awful stillness preceded his exordium. Each man felt the palpitations of his own heart, and saw the pale but determined face of his neighbour. The speaker began his oration in a firm tone of voice, and proceeded with great energy and pathos. Warren and his friends were prepared to chastise contumely, prevent disgrace, and avenge an attempt at assassination.

The scene was sublime; a patriot in whom the flush of youth, and the grace and dignity of manhood were combined, stood armed in the sanctuary of God, to animate and encourage the sons of liberty, and to hurl defiance at their oppressors. The orator commenced with the early history of the country, described the tenure by which we held our liberties and property—the affection we had constantly shown the parent country, and boldly told them how, and by whom these blessings of life had been violated. There was in this appeal to Britain—in this description of suffering, agony and horror, a calm and high-souled defiance which must have chilled the blood of every sensible foe. Such another hour has seldom happened in the his-

tory of man, and is not surpassed in the records of nations. The thunders of Demosthenes rolled at a distance from Philip and his host—and Tully poured the fiercest torrent of his invective when Cataline was at a distance, and his dagger no longer to be feared; but Warren's speech was made to proud oppressors resting on their arms, whose errand it was to overawe, and whose business it was to fight.

If the deed of Brutus deserved to be commemorated by history, poetry, painting and sculpture, should not this instance of patriotism and bravery be held in lasting remembrance? If he,

"That struck the foremost man of all this world," was hailed as the first of freemen, what honors are not due to him, who, undismayed, bearded the British lion, to show the world what his countrymen dared to do in the cause of liberty? If the statue of Brutus were placed among those of the gods, who were the preservers of Roman freedom, should not that of Warren fill a lofty niche in the temple reared to perpetuate the remembrance of our birth as a nation?"

#### CAPTAIN EZRA LEE.

FROM THE COMMERCIAL ADVERTISER, NOV. 1821

DIED, at Lyme, (Connecticut), on the 29th ult. Captain EZRA LEE, aged 72, a revolutionary officer.—It is not a little remarkable, that this officer is the only man, of which it can be said, that he fought the enemy upon land—upon water—and *under the water*; the latter mode of warfare was as follows:—

When the British fleet lay in the North River, opposite to the city of New-York, and while general Washington had possession of the city, he was very desirous to be rid of such neighbors.—A Mr. Bushnell, of Saybrook, (Conn.) who had the genius of a *Fulton*, constructed a sub-marine machine, of a conical form, bound together with iron bands, within which one person might sit, and with cranks and skulls, could navigate it to any depth under water. In the upper part was affixed a vertical screw for the purpose of penetrating ships bottoms, and to this was attached a magazine of powder, within which was a clock, which, on being set to run any given time, would, when run down, spring a gun-lock, and an explosion would follow. This Marine Turtle, so called, was examined by gen. Washington, and approved; to preserve secrecy, it was experimented within an inclosed yard, over twenty to thirty feet water, and kept during day-light locked in a vessel's hold. The brother of the inventor was to be the person to navigate the machine into action, but on sinking it the first time, he declined the service:

Gen. Washington, unwilling to relinquish the object, requested major general Parsons to select a person, in whom he could confide, voluntarily to engage in the enterprize; the latter being well acquainted with the heroic spirit, the patriotism, and the firm and steady courage of the deceased above mentioned, immediately communicated the plan and the offer, which he accepted, observing that his life was at general Washington's service. After practising the machine, until he understood its powers of balancing and moving under water, a night was fixed upon for the attempt. General Washington, and his associates in the secret, took their stations upon the roof of a house in Broadway, anxiously waiting the result. Morning came and no intelligence could be had of the intrepid sub-marine navigator, nor could the boat who attended him, give any account of him after parting with him the first part of the night. While these anxious spectators were about to give him up as lost, several barges were seen to start suddenly from Governor's Island, (then in possession of the British), and proceed towards some object near the Asia ship of the line,—as suddenly they were seen to put about and steer for the Island with springing oars. In two or three minutes an explosion took place, from the surface of the water, resembling a water-spout, which aroused the whole city and region; the enemy ships took the alarm—signals were rapidly given—the ships cut their cables and proceeded to the Hook, with all possible dispatch, sweeping their bottoms with chains, and with difficulty prevented their affrighted crews from leaping overboard.

During this scene of consternation, the deceased came to the surface, opened the brass head of his aquatic machine; rose up and gave a signal for the boat to come to him, but they could not reach him, until he again descended under water, to avoid the enemy's shot from the Island, who had discovered and commenced firing in his wake. Having forced himself against a strong current under water until without the reach of shot, he was taken in tow and landed at the battery amidst a great crowd, and reported himself to general Washington, who expressed his entire satisfaction, that the object was effected, without the loss of lives. The deceased was under the Asia's bottom more than two hours, endeavoring to penetrate her copper, but in vain. He frequently came up under her stern galleries searching for exposed plank, and could hear the sentinels cry. Once he was discovered by the watch on deck, and heard them speculate upon him, but concluded a drifted log had paid them a visit—he re-

turned to her keel and examined it fore and aft, and then proceeded to some other ships; but the impossibility of penetrating their copper, for want of a resisting power, hundreds owed the safety of their lives to this circumstance. The longest space of time he could remain under water was two hours.—For a particular description of this sub-marine curiosity, see Silliman's journal of arts and sciences.

The deceased, during the war, ever had the confidence and esteem of the commander in chief, and was frequently employed by him on secret missions of importance. He fought with him at Trenton and Monmouth; at Brandywine the hilt of his sword was shot away, and his hat and coat were penetrated with the enemy's balls. On the return of peace, he laid aside the habiliments of war, and returned to his farm, where, like Cincinnatus, he tilled his lands, until now called by the great commander in chief to the regions above. He died without an enemy; he was universally beloved. The suavity of his manners—evenness of temper, and correctness of principles, was proverbial and pleasing to all his acquaintance. He enjoyed the confidence of his fellow-citizens, to an extent almost unparalleled.—His desk was the repository of deeds, contracts and other evidences of property, as well as the widows and orphans wealth for safe keeping. He constantly read the papers of the day, and was by many considered a political prophet. His christian and moral life was sternly strict;—his Bible his guide and rule of action. "To do unto others, as he would they should do unto him," was his universal maxim and rule of life. His benevolence and charity was only circumscribed by his means.—Contented and happy, he was an example of the great blessings which flow from the perfect enjoyment of life, regulated by christian and moral virtue. He has left a widow, (with whom he has lived 51 years), and a numerous offspring to mourn the loss of one of the best of men.

#### REVOLUTIONARY RECOLLECTIONS.

FROM THE NATIONAL GAZETTE, OF SEPT. 5, 1821.

I am one of that class of your readers who are much pleased with the plan of the reminiscences, and wish it may be promoted, by our well-informed aged citizens taking the trouble to present to the public such authentic facts and information as their memories can furnish. It may be the means of preserving some flowers, and placing them in the chapel of the historic muse, which would otherwise fall to the ground and perish in oblivion. I offer the following.

Upon reading the Boston reminiscence of the tea-ship, the line quoted from the old song occasioned the whole of it to rise like an exhalation before me.

As near beauteous Boston lying,  
On the gently swelling flood,  
Without jack or pendant flying,  
Three ill-fated tea-ships rode.

Just as glorious Sol was setting,  
On the wharf, a numerous crew,  
Sons of freedom, fear forgetting,  
Suddenly appear'd in view.

Arm'd with hammers, axes, chisels,  
Weapons new for warlike deeds,  
Towards the herbage freighted vessels,  
They approach'd with dreadful speed.

Hovering o'er their heads, in mid sky,  
Three bright angel forms were seen;  
That was Hampden, this was Sidney,  
With fair liberty between.

'Soon,' they cried, 'your foes you'll banish,  
'Soon your triumph will be won,  
'Scarce shall setting P'æbus vanish,  
'Ere the deathless deed be done.'

Quick as shot the ships were boarded,  
Hatches burst and chests display'd;  
Axes, hammers, help afforded.  
What a glorious crash they made!

Captains! once more hoist your streamers,  
Spread your sails and plough the wave;  
Tell your masters they were dreamers,  
When they thought to cheat the brave.

The people of "the good old thirteen states," though they had made up their minds to suffering and endurance, did not enter on the contests for their rights and liberties in a hasty and unadvised manner; they had counted the cost, and, although determined to sacrifice all that they held dear, rather than to crouch as slaves, yet they shuddered at being forced upon that extremity. The intelligence of the battle of Lexington, the first blood that was drawn in the quarrel, was received with the deepest regret; in Philadelphia the bells were muffled, and an expression of horror and gloom covered the countenances of all its citizens.

Congress first sat in the building then called Carpenters' hall, up the court of that name in Chesnut street. On the morning of the day that they first convened, their future secretary, the now venerable Charles Thomson, who resided at that time in the Northern Liberties, and who afterwards so materially assisted to launch our first free republic, had that morning rode into the city, and alighted in Chesnut street; he was immediately accosted by a message from congress, that they desired to speak with him. He followed the messenger, and, enter-

ing the building, has described himself as struck with awe, upon viewing the aspects of so many great and good men impressed with the weight and responsibility of their situation, on the perilous edge of which they were then advancing. He walked up the aisle, and bowing to the president, desired to know their pleasure.

"Congress request your services, sir, as their secretary." He took his seat at the desk, and never looked back until the vessel was securely anchored in the haven of independence.

The first speaker, (I mean the first who rose to speak) in that congress, was Patrick Henry, an orator undoubtedly, but not superior to many who took their seats on that day, although his biographer has ascribed to his eloquence the fulminating character of Demosthenes. What he said on that occasion was short and practical.

Peyton Randolph, first president of congress, died in October, 1775, at the seat of Henry Hill, Roxborough, near Philadelphia, where he had accepted an invitation to dine with other company. He fell from his seat in an apoplectic fit, and immediately expired. His corpse was taken to Virginia for interment.

With respect to the notices of the still more remote "olden time" in Philadelphia, William Penn, at his first coming, brought over the frame of a house which was set up for him in town and remained in being for many years. I have also heard that the first mill for grinding corn was brought over in a similar manner, and was placed on Ridley Creek.

Tobacco was at first cultivated in Pennsylvania, and was among her earliest exports. An old petition to the governor and council for a road to Germantown, mentions 'the tobacco field, (in Front street), near the town.'

When William Penn arrived the second time with his family, in 1699, he brought over a coach. In the former part of last century, Isaac Norris, senr. of Fairhill, kept a coach and four—he lived out of town, and like his worthy descendant of our time, had a large family. His cotemporary, Jonathan Dickinson, a gentleman who had moved from Jamaica to Pennsylvania, had likewise a coach and four. A very respectable old gentleman, who died some years since, has told me that he well remembered when there were but eight four-wheeled carriages in the whole province; viz. the three above mentioned, capt. Anthony Palmer's, Andrew Hamilton's, James Logan's, judge Lloyd's, of Chester, and, I think, judge Langborne's, of Bucks.

The bells of Christ church were first tolled on account of the death of the wife of captain Palmer,

when a fatal accident happened to one of the ringers. Captain Palmer was president of the council after James Logan, about the year 1740. Some of his descendants are still among us. O.

#### RECOLLECTIONS OF A SOLDIER'S DAUGHTER.

FROM WOODWORTH'S LITERARY CASKET.

At the commencement of the revolutionary war, my father had attained the age when the mind yields most easily to the passion for military glory, and he was among the first who were enrolled under the banner of American liberty.

The sentiment of freedom was electric, and no age or sex was exempt from its influence. The fond mother, who had shrunk from exposing the darling of her bosom to the slightest personal danger, now beheld, with proud satisfaction, that son decorated with the knapsack her own hand had wrought, and carefully resigned him to the call of patriotism.

Thus do the sentiments of freedom elevate the mind above its ordinary exertions, and call forth the latent energies of soul, that have immortalized a Cornelia. My venerable grandsire, whom I can just remember as an old man with snowy locks, who used to pacify my infant clamors with tales of military prowess, was often heard to boast that he led five sons to the battle of Bunker-hill.

The third of these sons was he from whom I inherited that spirit of patriotism which has accompanied me through life. With feelings which neither time nor sorrow can obliterate, I review the scenes of my childhood, and while my brave parent, bending with age and infirmity, is verging to the grave, a desire to snatch his memory from oblivion prompts me to record the following detail:

Some of the brightest years of my existence were passed in the vicinity of Bunker-hill, and I was early taught to venerate that spot, as connected with a display of that magnanimous virtue. It was to that spot my gallant father led his family of sprightly boys, and, over the grave of Warren, inculcated lessons of heroism and virtue. Nor was I always excluded from the party, for though my father believed that nature had designed me for a domestic sphere, he did not believe that an ardent love of liberty and thorough estimate of its value, as purchased by the blood of my fathers, could unfit me for the discharge of the important duties which Providence has assigned to a woman.

It was a fine morning in May, and nature seemed to have communicated her smile to the heart, and diffused a joyous serenity over all its feelings, when

my three little brothers and myself recieved the welcome summons to prepare to attend our parent on his morning excursion.—“Whither shall we walk?” said he, as we sallied forth with all the eagerness of childhood—“To Bunker-hill” was the spontaneous reply of every little voice, and to Bunker-hill my father led the way.

Days of artless innocence, alas! ye are fled forever. Never can I recal the sportive hilarity with which we lightly bounded over the adjacent fields, never regain the innocent gaiety and improvident lightness of heart, that, under present enjoyments, shut the future from my view. Yet memory, busy memory, oft retards the flowery way, and, in the visions of the past, loses the sense of the present, and the anticipations of the future.

With that buoyancy of spirit which refuses to yield to weariness, we climbed the ascent, and found ourselves on the summit, from whence we were presented with a view of the whole peninsula, with the bay and harbor of Boston. My father pointed out the relative position of the armies, and entered into a minute detail of events, which abler historians have recorded: they will not therefore occupy a place in this narration.

His own personal adventure, and narrow escape from a living grave, are all that filial piety will justify this feeble attempt to perpetuate.

“Pray papa,” said my oldest brother, “was it here that you received that ugly wound that had nearly cost you your life?”

“It was on this very spot, my son, behind this breast-work—but the story is long—you must have patience, and let me commence at the beginning.”

Each little heart beat high with expectation, and mutually promising profound attention, we listened to the following tale.

“You see that narrow speck of land yonder that unites the peninsula of Charlestown to the adjacent country. Over that isthmus, it became my duty to lead the little band under my command, to join the main army, in the intrenchment, where we now stand. You see how it is exposed to water—well there lay the Glasgow frigate, which kept up a continual fire of shot and bombs across that pass, while several floating batteries, and the fortification on Copps’ hill, endeavored to annoy the troops on the hill, and drive them from the entrenchment.

“My little band had each the spirit of a Leonidas, and not a murmur was heard when I ordered them to attempt gaining the hill, by running singly across the dangerous pass. The first who attempt-

ed was my poor drummer, who was killed not five paces from me; but the next, not at all deterred by the fate of his comrade, commenced the race, and got over in safety. In like manner most of our heroic band succeeded, and one honest fellow, as he bowed to the word of command, thus addressed me, ‘captain I see it is close dodging, but let me once get safely over, and I’ll spend my heart’s last drop for you, and bring you off again dead or alive, that I will.’”

“This honest fellow was a native of Ireland, and about six months previous was confined for debt in the prison of Salem, whence I released him on condition that he would enlist; and never man was blessed with a more devoted friend than Murphy McCulloch proved to me.

“I was the last to make the adventurous attempt, and though the balls showered about my head, none were permitted to touch me, and we gained the entrenchment, and passed into the line of battle.

“On this spot as near as I could recollect, I stood, and endeavored to do my duty as a soldier of liberty. I received a ball through the calf of my leg, and another through my left shoulder, but these were mere trifles, and stood my ground in spite of them.

“The gallant and generous Warren was on horse-back, pressing from one end of the line to the other, animating the troops to a vigorous defence, and every heart hailed him with love and gratitude.

“He had ever distinguished me with peculiar marks of friendship, and as he passed the spot where I stood, he condescended to address me with words of cordial recognition. I know not whether any historian has recorded the last words of that hero, but believed they were addressed to myself. “My young friend, (said he, as he turned to leave me), do your duty, for the salvation of our country depends on this day’s action.”

“He had not moved ten paces before I saw him fall. At that moment a shell burst by my side, and was thrown several feet into the air, and then precipitated violently to the ground.

“A fragment of the broken shell struck me in the breast, and caused a contusion of the sternum, and the violent shock my whole system sustained, took from me the power of motion.

“Blood gushed from my mouth, nose and ears, and I lay covered with dust unable to speak or move, but for some time perfectly conscious.

“I remember to have heard col. B—, who was my father’s friend, exclaim ‘William is dead then’ well—he died like a soldier.’

"I felt the pressure of his hand upon my forehead, as he leaned over me; 'he's gone, poor fellow! but I'll take his sword—the *regulars* shall never get that.'"

"This sword was a present from Warren, and, though in that awful moment my soul seemed fluttering on the verge of eternity, it gave me inexpressible pleasure, to find that the gift of friendship was likely to be preserved.

"A faintness now came over me, and I heard no more, and for what succeeded am indebted to the observation of col. B——.

"The Americans fought with determination and bravery until their last round of ammunition was expended, and they were reluctantly compelled to retreat.

"My poor Irish soldier, actuated by a sentiment that should immortalize his name, now declared *that the British should never have his captain, alive or dead*. He sought among the slain for the breathless form of one he loved, and at last recognised the object of his search, among a heap of human bodies, which some resolute soldiers, where the breastwork happened to be too high, had piled up to stand on.

"He bore the inanimate body on his shoulder from the scene of carnage; but unable, thus loaded, to keep up with his companions, a shot from the pursuers terminated his life, when the main body of the retreating army was out of danger.

"Some friends who knew us, passing immediately after, thought they discovered in me signs of returning life, and by their means I was conveyed to the hospital."

By this time the little auditors were in tears, and even Warren was awhile forgotten in admiration of the fidelity of the Irish soldier.

My father, though a brave man and a soldier, wept—and though the lapse of twenty years has presented new and varied objects to my mind, I am not ashamed that a kindred tear has blotted the page that records his story.

Recovering his usual composure, and addressing himself particularly to me, my father thus continued:

"What follows is an example of *female heroism and tenderness*, if recorded on the page of history, might form a counterpart to the story of the Roman mother, who died from the effect of joyful surprise, when her son, whom she thought dead, was restored to her arms.

"My mother received the news that her darling had fallen in battle,—but *shed no tears*.

"Her son had done his duty, and what more in these times of peril could a virtuous mother desire? Agreeably to the primitive custom of our fathers

the whole family appeared at church the next Sabbath, clothed in habiliments of sorrow, and in the note which the minister read for the deceased, was an expression of triumph that he had fallen for liberty.

"The next morning as my mother sat by her window, intently watching some little shrubbery which the hand of her departed child had planted, she discovered, through the vista of the trees that embowered our peaceful dwelling, a litter, slowly winding along the road.

"The hope of being able to afford relief or refreshment to a wounded soldier, drew my mother to the little gate that separated her own cultivated lawn from the highway.

"Will you stop and rest?" said she to the man who conducted the litter—"We go no farther," was the reply. She heard no more—the truth flashed across her mind and she *fainted*.

"Long and tenderly was I nursed by that heroic woman, and though she sympathised in every pain I felt, she never breathed a regret for the part I had acted, and when I was again able to join my regiment, she mingled with her parting blessing a fervent prayer that all her children might prefer death to slavery." Such was my father's tale—could I hear it and ever forget that I am a soldier's daughter? Never, never. Recollections of patriotism are impressed on every page of my existence, and sentiments of freedom twined with every fibre of my heart.

Sadly as the tenor of my days have passed, and sorely as the storms of sorrow have beaten on my head, there are hours when the tide of impetuous feeling rushes back to the scenes of my infancy, and finds, in tracing the lessons of paternal love, a kind of half oblivion to my cares. Then it is that the spirit of my father glows with undiminished ardour, and it is my pride and my boast that I am a  
**SOLDIER'S DAUGHTER.**

*Extract from an Election Sermon, delivered by president Stiles, before the Connecticut legislature, in May, 1783.*

"While we render our supreme honors to the Most High, the God of armies, let us recollect, with affectionate honor, the bold and brave sons of freedom, who *willingly offered themselves*, and bled in the defence of their country. Our fellow citizens, the officers and soldiers of the patriot army, who, with the Manlys, the Joneses, and other gallant commanders and brave seamen of the American navy, have heroically fought the war by sea and by land, merit, of their once bleeding, but now triumphant country,



laurels, crowns, rewards, and the highest honors. Never was the profession of arms used with more glory, or in a better cause, since the days of Joshua the son of Nun. O WASHINGTON! how do I love thy name! how often have I adored and blessed thy God, for creating and forming thee the great ornament of human kind. Upheld and protected by the omnipotent, by the Lord of Hosts, thou hast been sustained and carried through one of the most arduous and important wars in all history. The world and posterity will, with admiration, contemplate thy deliberate, cool, and stable judgment, thy virtues, thy valor and heroic achievements, as far surpassing those of Cyrus, whom the world loved and adored. The sound of thy fame shall go out into all the earth, and extend to distant ages. Thou hast convinced the world of the BEAUTY OF VIRTUE—for, in thee *this beauty* shines with distinguished lustre. Those who would not recognize any *beauty in virtue* in the world beside, will yet reverence it in thee. There is a glory in thy disinterested benevolence, which the greatest characters would purchase, if possible, at the expense of worlds, and which may excite indeed their emulation, but cannot be felt by the *venal great*—who think every thing, even virtue and true glory, may be bought and sold, and trace our every action to motives terminating in *self*;

"Find virtue local, all relation scorn,  
"See all in self, and but for *self* be born."

But thou, O Washington, forgottest thyself, when thou lovedst thy bleeding country. Not all the gold of Ophir, nor a world filled with rubies and diamonds, could affect or purchase the sublime and noble feelings of thine heart, in that single self-moved act, when thou renouncedst the rewards of generalship, and heroically tookest upon thyself the dangerous as well as arduous office of generalissimo—and this at a solemn moment, when thou didst deliberately cast the die, for the dubious, the very dubious alternative of a *gibbet* or a *triumphal arch*!—But, beloved, enshielded and blessed by the great Melchisedec, the king of righteousness as well as peace, thou hast triumphed gloriously. Such has been thy military wisdom in the struggles of this arduous conflict, such the noble rectitude, amiableness and mansuetude of thy character: something is there so singularly glorious and venerable thrown by Heaven about thee, that not only does thy country love thee, but our very enemies stop the madness of their fire in full volley, stop the illiberality of their slander, at thy name, as if rebuked from Heaven with a "touch not mine anointed, and do my *name* no harm." Thy fame is of sweeter perfume than Arabian spices in the gardens of Persia. A

baron de Steuben shall waft its fragrance to the monarch of Prussia: a marquis de la Fayette shall waft it to a far greater monarch, and diffuse thy renown throughout Europe. Listening angels shall catch the odour, waft it to heaven, and perfume the universe."

#### KOSCIUSCO.

The following is not a revolutionary paper, but it relates to a noble volunteer in the cause of liberty in the new world, and a fearless advocate for the freedom of his native land in the old; and a preservation of the eulogium upon him is due to his services. It was delivered at Warsaw on the 14th Nov. 1817, by M. Von Neimcewicz, who was his bosom friend. The translation here used was made for the "Republican Citizen," published at Fredericktown, Maryland.

This mournful solemnity, these funeral rites; these blazing tapers, this assemblage of dejected knights and people, the doleful voice of the venerable divine, all, all conspire to impress upon us a strong perception of our great, our irreparable loss. What can I add to the acuteness of your feelings, or how dilate upon the ardent expressions of the reverend ministers of religion? Alas! it does not appertain to these grey hairs, to this enfeebled voice, to a mind blunted with years, and weakened by infirmities, to eulogize the man, who was courageous and generous in war, and amiable in peace. But such was your desire: unmindful of the restraints and difficulties under which I labor, I will endeavor to comply, and, although myself overwhelmed with grief, will become the interpreter of this universal mourning.

Great and destructive have been the losses sustained by our country in the lapse of a few years; but we have felt none with such keen anguish, as that which we now bewail in the decease of our beloved Kosciusco. To mention the name of Kosciusco, that pattern of virtuous citizenship; to depict his love of country, which continued to blaze out whilst there was a breath of life remaining; his fearless intrepidity in battle; his manly fortitude in adversity; his patient endurance of suffering; his Roman uprightness of deportment; his delicate modesty, that inseparable accompaniment of real worth—is to awaken a thousand pleasing, but alas! also numberless painful emotions in the breast of every native of Poland.

Ere History shall record our misfortunes, and exhibit, in their true light, the merits of this truly great man, be it permitted to us, his contemporaries

ries, to notice, in condensed brevity, his noble actions, and the principal incidents of his life.

THADDEUS KOSCIUSCO, descended from an ancient family in the palatinate of Brescia, in Lithuania proper, received the rudiments of his education in the military academy founded by Stanislaus Augustus. The commandant of that academy, prince Adam Czartorski, soon remarked the uncommon military genius of the youth, together with his predilection for the science of war, and in consequence, sent him into France to complete his studies. To the latest moments of his life, Kosciusco gratefully remembered the obligations which he owed to the bounty of his benefactor. The abject, impotent and submissive situation of Poland, at that period, engendered dejection and despair in his useful breast. He left his country and repaired to a foreign land, there to fight the battles of independence, when he found that her standard would not be raised in the land of his birth. At the companion of the immortal WASHINGTON, he fought bravely from the Hudson to the Potomac, from the shores of the Atlantic to the lakes of Canada. He patiently endured incredible fatigue; he acquired renown; and, what was infinitely more valuable in his estimation, he acquired the love and gratitude of a disenthralled nation. The flag of the United States waved in triumph over the American forts, and the great work of liberation was finished ere Kosciusco returned to his native country.

Just at that period Poland awoke; but alas! awoke too late from her deplorable lethargy. She had proclaimed the memorable constitution of the third of May, and determined to acknowledge no laws but her own. Hence the inimical attack, hence the desolating wars which ensued. Say, ye few remaining witnesses—say ye fields of Zielonice and Dubinki, did not Kosciusco, did not the Poles contend with a valor worthy the sons of Poland?—It was not that our feeble force was overpowered: No—it was by the stratagems and wiles of our enemies that our arms were wrested from our hands, and the burning desire for the combat smothered; aye, smothered! for in a short time the dismemberment of our territory, and the contemptuous, the scornful treatment which we received, exasperated the feelings of our people. The excess of their misfortunes and sufferings roused them to an effort of noble and almost frenzied desperation. His enraged countrymen grasped the sword and placed it in the hands of Kosciusco!

The fraternal bonds which unite us to another nation, the protection of one common sovereign, and the gratitude due to *Alexander*, forbid that I

should enlarge upon the occurrences of the memorable war which followed. The army of Kosciusco was not composed of warriors, arrayed in 'the pride of military pomp.' No! he led troops of irritated peasantry to the field of glory; peasantry, armed with the implements of husbandry, against experienced and veteran soldiers!—How many battles, sieges, dreadful nocturnal sallies and skirmishes did they sustain? The earth was ensanguined with the blood of the commandants ere it furnished them with graves.

The result of all these sacrifices, sufferings and exertions, were inhuman fetters. The captivity continued two years, and would have lasted yet longer;—nor wouldst thou, Kosciusco, have ended thy days in Solothurn's free walls—nor would you, ye weeping sons of Poland, have again enjoyed the sweet smiles of liberty, but would have dragged out the miserable remnant of your lives in dark and mouldering dungeons, had it not been for the magnanimous interference of PAUL I. The first act of his reign was to burst the fetters of *twenty thousand Poles*. Thanks to thee, venerable shade! The name of *Paul* cannot be mentioned by a native of Poland, without feelings of genuine gratitude!

When Kosciusco was liberated, he did not turn his steps to that depressed and mourning country, which had already become as a strange land to him. No: he turned his eyes to that distant shore, where in his youth, he had mingled in the combat for liberty and independence; to that land which he knew would receive him as one of her own children. Although covered with scars and crippled, he did not permit the fatigues and dangers of the voyage to dishearten him. He embarked for America; and, during this voyage, the ocean had nearly become the grave of our hero. A vessel, belonging to a fleet of merchantmen, returning from Jamaica, was separated from her company in a dark night, and whilst sailing with the greatest rapidity, struck the American ship. Masts, rigging and sails were instantly entangled. Two large vessels lay beating forcibly against each other. Great was the tumult, noise and disorder upon deck—death stared us in the face. Kosciusco viewed the scene, at this dismaying and terrifying moment, with his usual serenity and composure: but his last hour had not yet arrived. Providence had ordained that he should survive to see that day on which the generous *Alexander* proclaimed the restoration of the kingdom of Poland. We escaped this imminent danger with the loss of the main-mast and torn sails, but the voyage was, in consequence of the disaster, protracted to seventy days. At length we espied the happy shores of the land of freedom. Pennsylvania! the country

of PENN and FRANKLIN, received Kosciusko into her bosom. After suffering such accumulated miseries, this was the first happy and joyful moment. The members of congress, then in session—his old compatriots in arms—his friends and acquaintances, and the citizens generally, hailed his arrival with unaffected pleasure. The people surrounded the carriage of him, who had been one of their favorite chiefs, who had suffered so much in their cause, and accompanied him to his lodgings. Not only in America, but also in every European city through which he passed after his liberation, in Stockholm, in London, and in Bristol, all those who cherished in their hearts a love of liberty, and a regard for her defenders, thronged about him and gave him the most lively demonstrations of their esteem. Oh! it was grateful to the heart of a Poleander to perceive, in the honor and respect with which his chief was received, esteem and commiseration for the fate of an unjustly destroyed nation.

Was it the delusion of hope or the wish to have the advantage of the best medical advice, that induced Kosciusko to visit the shores of Europe once more? If it was hope, soon, alas! did he perceive its fallaciousness and vanity, and the inutility of human exertions. He rejected the bustle and applause of the world, and, if I may so express myself, enclosed himself in the mantle of his own virtues and retired to the rural solitude of a farm. Here agriculture was his employment, his solace, and his delight.—He left his peaceful retirement, for the first time, to thank the illustrious *Alexander* for the restoration of the Polish name. His aversion to public employment, which had increased with age, his love of solitude and quiet, led him into Switzerland.—There in the city of Solothurn, it pleased the Almighty to call his virtuous soul, from the scene of its sufferings and trials, to the abode of the blessed. He died as it became a christian and a soldier, with a firm reliance on his God, with complacency and manly fortitude. Poor as his prototypes, Phocion and Cincinnatus, he forbade all pomp and show at his funeral; and that man, who in the field of battle had commanded thousands of armed warriors, was carried to the last repository of frail mortality, upon the shoulders of six poor old men!

Peace to thy ashes, thou virtuous man! receive the last and parting laments of thy sorrowing countrymen; receive the parting address of him, in whose arms thou hast so often reposed thine aching head. If thy native country do not receive thy mortal remains into her lap, while thy liberated spirit dwells in the same abode with THE LAST ROMAN,\* then

may thy memory be immortal amongst us. May thy statue be placed in the sanctuary of the Lord, in order to perpetuate the lineaments of thy face, the benevolence of thy heart, and the purity of thy soul. May thy cenotaph be like thy life, plain and unostentatious, with no inscription but thy name, that will be all-sufficient! Whenever a native or stranger shall with tearful eyes behold it, he will be compelled to exclaim, "That was the man who did not permit his countrymen to die ingloriously, and whose virtues, magnanimity, intrepidity and patriotism immortalized himself and his beloved country."

#### FROM THE BOSTON PATRIOT.

It is good for us all to look back on "*olden time*."—It is both good and proper for the young men and the youth of the present day to see and read some of the *official acts of their fathers and grandfathers*; and thereby to trace out and mark down the eminent exertions, the privations, dangers and sufferings to which they were exposed in struggling through the arduous contest to establish the liberty and independence of their country, and to provide for their posterity a NATIONAL NAME—a home, a shelter and a fireside. Read this and treasure it for the time to come.

#### By the congress of the United States of America— A MANIFESTO.

"These United States having been driven to hostilities by the oppressive and tyrannous measures of Great Britain; having been compelled to commit the essential rights of man to the decision of arms; and having been, at length, forced to shake off a yoke which had grown too burdensome to bear, they declared themselves free and independent.

Confiding in the justice of their cause; confiding in him who disposes of human events, although weak and unprovided, they set the power of their enemies at defiance.

In this confidence they have continued through the various fortune of three bloody campaigns, unawed by the power, unsubdued by the barbarity of their foes. Their virtuous citizens have borne, without repining, the loss of many things which makes life desirable. Their brave troops have patiently endured the hardships and dangers of a situation, fruitful in both beyond former example.

The congress, considering themselves bound to love their enemies, as children of that being who is equally the father of all; and desirous, since they could not prevent, at least to alleviate, the calamities of war, have studied to spare those who were in arms against them, and to lighten the chains of captivity.

\*Ultimus Romanorum, *Marcus Junius Brutus* has been so called.

The conduct of those serving under the king of Great Britain hath, with some few exceptions, been diametrically opposite. They have laid waste the open country, burned the defenceless villages, and butchered the citizens of America. Their prisons have been the slaughter-houses of her soldiers; their ships\* of her seamen, and the severest injuries have been aggravated by the grossest insults.

Foiled in their vain attempt to subjugate the unconquerable spirit of freedom, they have meanly assailed the representatives of America with bribes,† with deceit, and the servility of adulation. They have made a mock of humanity, by the wanton destruction of men: they have made a mock of religion, by impious appeals to God whilst in the violation of his sacred commands: they have made a mock even of reason itself, by endeavoring to prove that the liberty and happiness of America could safely be intrusted to those, who have sold their own, unawed by the sense of virtue or of shame.

Treated with the contempt which such conduct deserved, they have applied to individuals; they have solicited them to break the bonds of allegiance, and embroil their souls with the blackest of crimes; but, fearing that none could be found through these United States equal to the wickedness of their purpose, to influence weak minds, they have threatened more wide devastation.

While the shadow of hope remained, that our enemies could be taught by our example to respect those laws which are held sacred among civilized nations, and to comply with the dictates of a religion, which they pretend in common with us to believe and to revere, they have been left to the influence of that religion and that example. But since their incorrigible dispositions cannot be touched by kindness and compassion, it becomes our duty by other means to vindicate the rights of humanity.

We, therefore, the congress of the United States of America, do solemnly declare and proclaim, that if

\*Notes by the transcriber—who recollects that several of his school mates suffered severely on board the *Jersey prison ship*; and he knows several persons yet living in Boston, who felt the iron hand and heart of unrelenting barbarity, while prisoners on board "that poisoned floating dungeon," in the harbor of New-York, when in possession of the British.

† The supposed or reputed author, [SAMUEL ADAMS], of the above elegantly written state paper, chose the high honor and exalted feeling of supporting the liberties and equal rights of his countrymen, with a moderate fortune, to the low and grovelling dignity of a "British pensioner of two thousand guineas per annum for life." He was in the cabinet of his country, what general Greene was in the field; "ever early, ever watchful, and never weary of toil or fatigue until he saw all was well."

our enemies presume to execute their threats, or persist in their present career of barbarity, we will take such *exemplary vengeance* as shall deter others from a like conduct. We appeal to that God who searcheth the hearts of men, for the rectitude of our intentions; and, in His holy presence, we declare, that as we are not moved by any light and hasty suggestions of anger and revenge, so through every possible change of fortune we will adhere to this our determination.

Done in Congress, by unanimous consent, the thirtieth day of October, one thousand seven hundred and seventy-eight.

(Signed) HENRY LAURENS, President."

FROM THE EVENING POST.

New-York, Nov. 22, 1821.

William Coleman, esq.

DEAR SIR—Agreeably to your request, I willingly give you the enclosed copies of papers relating to the events of that memorable day, so soon to be celebrated in this city. I feel grateful to the gentleman who transmitted them to me—and I cannot doubt but the possession of them will be gratifying to every American.

Your obedient humble servant,

AARON CLARK.

Danbury, (Conn.) Aug. 24, 1821.

Mr. Aaron Clark:

SIR—Having observed that you are collecting various documents relating to the history of the state of New-York, I take the liberty of enclosing to you copies of the addresses which were exchanged between the citizens of the city of New-York and the American generals who entered the city in triumph after the evacuation of the British in 1783.

A committee had been appointed by the citizens to wait upon gen. Washington and gov. Clinton and other American officers, and to express their joyful congratulation to them upon this occasion. A procession for this purpose formed in the Bowery, marched through a part of the city, and halted at a tavern, then known by the name of Cape's tavern, in Broadway, where the following addresses were delivered. Mr. Thomas Tucker, late of this town, and, at that time, a reputable merchant in New-York, a member of the committee, was selected to perform the office on the part of the committee. The originals now lie before me, over the signatures of the respective generals.

I am, sir, your very obedient humble servant,

ELISHA D. WHITTLESSEY.

*To his excellency George Washington, esquire, general and commander in chief of the armies of the United States of America,*

The address of the citizens of New-York, who have returned from exile, in behalf of themselves and their suffering brethren:

SIR—At a moment when the army of tyranny is yielding up its fondest usurpations, we hope the salutations of long-suffering exiles, but now happy freemen, will not be deemed an unhappy tribute. In this place, and at this moment of exultation and triumph, while the ensigns of slavery still linger in our sight, we look up to you, our deliverer, with unusual transports of gratitude and joy. Permit us to welcome you to this city, long torn from us by the hard hand of oppression, but now, by your wisdom and energy, under the guidance of Providence, once more the seat of peace and freedom. We forbear to speak our gratitude or your praise. We should but echo the voice of applauding millions. But the citizens of New-York are eminently indebted to your virtues; and we, who have now the honor to address your excellency, have often been companions of your sufferings and witnesses of your exertions. Permit us, therefore, to approach your excellency with the dignity and sincerity of freemen, and to assure you that we shall preserve, with our latest breath, our gratitude for your services, and veneration for your character; and accept of our sincere and earnest wishes that you may long enjoy that calm domestic felicity, which you have so generously sacrificed—that the cries of injured liberty may never more interrupt your repose—and that your happiness may be equal to your virtues.

Signed, at the request of the meeting,

Thomas Randall,	Thomas Tucker,
Danl. Phoenix,	Henry Kipp,
Saml. Broome,	Pat. Dennison,
Wm. Gilbert, sen.	Wm. Gilbert, jun.
Francis Van Dyck,	Jeremiah Wool,
Geo. Janeway,	Abm. P. Lott.
Ephraim Brashier,	

*New-York, Nov. 25, 1783.*

*His excellency's answer to the citizens of New-York, who have returned from exile:*

GENTLEMEN—I thank you sincerely for your affectionate address, and entreat you to be persuaded that nothing could be more agreeable to me than your polite congratulations. Permit me, in return, to felicitate you on the happy repossession of your city.

Great as your joy must be on this pleasing occasion, it can scarcely exceed that which I feel at seeing you, gentlemen, who, from the noblest motives, have suffered a voluntary exile of many years,

return again in peace and triumph to enjoy the fruits of your virtuous conduct.

The fortitude and perseverance which you and your suffering brethren have exhibited in the course of the war, have not only endeared you to your countrymen, but will be remembered with admiration and applause, to the latest posterity.

May the tranquility of your city be perpetual—may the ruins soon be repaired, commerce flourish, science be fostered, and all the civil and social virtues be cherished in the same illustrious manner which formerly reflected so much credit on the inhabitants of New-York. In fine, may every species of felicity attend you, gentlemen, and your worthy fellow-citizens.

GEORGE WASHINGTON.

*The address to gov. Clinton, with the answer.*

*To his excellency George Clinton, esquire, governor of the state of New-York, commander in chief of the militia, and admiral of the navy of the same,*

The address of the citizens of New-York, who have returned from exile, in behalf of themselves and their suffering brethren:

SIR—When we consider your faithful labors at the head of the government of this state, devoid, as we conceive every free people ought to be, of flattery, we think we should not be wanting in gratitude to your vigilant and assiduous services in the civil line.

The state, sir, is highly indebted to you in your military capacity; a sense of your real merit will secure to you that reputation which a brave man opposing himself in defence of his country, will ever deserve.

We most sincerely congratulate you on your happy arrival at the capital of the state. Your excellency hath borne a part with us in the general distress, and was ever ready to alleviate the calamities you could not effectually remove. Your example taught us to suffer with dignity.

We beg leave to assure your excellency that, as prudent citizens and faithful subjects to the people of the state of New-York, we will do every thing in our power to enable you to support order and good government in the community, over which you have, by the suffrages of a free and discerning people, been elected to preside.

Signed, at request of the meeting,

Thomas Randall,	Thomas Tucker,
Danl. Phoenix,	Henry Kipp,
Saml. Broome,	Pat. Dennison,
Wm. Gilbert, sen.	Wm. Gilbert, jun.
Francis Van Dyck,	Jeremiah Wool,
Geo. Janeway,	Abm. P. Lott.
Ephraim Brashier,	

*New-York, Nov. 25, 1783.*

*His excellency's reply.*

GENTLEMEN—Accept my most sincere thanks for your very affectionate and respectful address. Citizens who, like you, to vindicate the sacred cause of freedom, quitted their native city, their fortunes and possessions, and sustained, with manly fortitude, the rigors of a long and painful exile, super-added to the grievous calamities of a vengeful war, merit, in an eminent degree, the title of patriots and the esteem of mankind; and your confidence and approbation are honors which cannot be received without the utmost sensibility or contemplated without gratitude and satisfaction.

To your sufferings and to the invincible spirit with which they were surmounted, I have been witness, I have deeply lamented that I had not means to alleviate them equal to my inclination.

The assurances of your firm support in the administration of government, give me singular pleasure. A reverence for the laws is peculiarly essential to public safety and prosperity under our free constitution; and should we suffer the authority of the magistrate to be violated for the sake of private vengeance, we should be unworthy of the numberless blessings which an indulgent Providence hath placed in our reach. I shall endeavor steadily to discharge my duty, and I flatter myself that this state will become no less distinguished for justice and public tranquility, in peace, than it has hitherto been marked, in war, for vigor, fortitude and perseverance.

Gentlemen—Your kind congratulations on my arrival at this metropolis, after so long an absence, are highly acceptable, and I most cordially felicitate you on the joyful events which have restored us to the free and uncontrollable enjoyment of our rights. While we regard, with inviolable gratitude and affection all who have aided us by their counsel or their arms, let us not be unmindful of that Almighty Being, whose gracious Providence has been manifestly interposed for our deliverance and protection, and let us shew by our virtues that we deserve to partake of the freedom, sovereignty and independence which are so happily established throughout these United States.

GEORGE CLINTON.

New-York, 25th Nov. 1783.

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RECOLLECTIONS OF A BOSTONIAN.

In the latter end of the year 1821 and early in 1822, a series of papers were published in the "Boston Centinel" under the head of "Recollections of a Bostonian" in which the public were presented with many curious facts in relation to the con-

dition of, and proceedings in, that town many years ago, from which we select the following as suited to the design of this work:

The British army evacuated Boston on the forenoon of Sunday, the 17th March, 1776. On the afternoon of that day I landed (in company with a surgeon who was ordered in by general Washington) at the bottom of the common, near the high bluff, which was taken away a few years ago to make Charles-street. The first object that I observed on landing was a thirteen inch iron mortar on the beach of extraordinary dimensions and weight, which the British had thrown down from a battery they had erected on the height above. I was told that another of the same size was sunk at the end of the long-wharf, which was afterwards raised. One of them is now at the navy-yard in Charleston, and the other was a few years since on the grand battery at New-York, where it was carried in the same year.

On crossing the common we found it very much disfigured with ditches and cellars, which had been dug by the British troops for their accommodation when in camp. To our great regret, we saw several large trees lying in the mall, which had been cut down that morning. We were informed that the tories were so exasperated at being obliged to leave the town, that they were determined to do all the mischief possible, and had commenced destroying that beautiful promenade; but it being told to some of the selectmen, they went in haste to general Howe, and represented the circumstance, who kindly sent one of his aids to forbid the further destruction of the trees, and to reprimand the tories for their conduct. General Howe could not but feel some degree of grateful regard and sympathy for the people of Massachusetts, as they had erected a monument in Westminster Abbey to the memory of his brother, whose urbane and gentlemanly deportment, had gained the esteem and respect of the Massachusetts forces, and who was killed in a battle with the French and Indians in 1758.

The mall was originally laid out with only two rows of trees, a third was added a few years before the war, which we found were all cut down for fuel, together with the entire fence which surrounded the common, as was also a large magnificent tree which stood on the town's land, near the school house, in West-street, of equal size with that which now stands in the middle of the common, both of which I suppose to be *aboriginal*.

On passing into the town, it presented an indescribable scene of desolation and gloominess, for notwithstanding the joyous occasion of having driven our enemies from our land, our minds were im-

pressed with an awful sadness at the sight of the ruins of many houses which had been taken down for fuel—the dirtiness of the streets—the wretched appearance of the very few inhabitants who remained during the siege—the contrast between the Sunday we then beheld, compared with those we formerly witnessed, when well dressed people, with cheerful countenances, were going to, and returning from church, on which occasion, Boston exhibits so beautiful a scene—but more especially when we entered the Old South church, and had ocular demonstration that it had been turned into a *arming school*, for the use of general Burgoyne's regiment of cavalry, which formed a part of the garrison, but which had never ventured to pass the barriers of the town. The pulpit and all the pews were taken away and burnt for fuel, and many hundred loads of dirt and gravel were carted in, and spread upon the floor. The south door was closed, and a bar was fixed, over which the cavalry were taught to leap their horses at full speed. A *grog shop* was erected in the gallery, where liquor was sold to the soldiery, and consequently produced scenes of riot and debauchery in that holy temple. All these circumstances conspired to fill the mind with sombre reflections. But amidst the sadness of the scene, there was a pleasing satisfaction in the *hope* that men, capable of such atrocities, could not have the blessing of Heaven in their nefarious plan of subjugating our beloved country. The English soldiers were generally Episcopalians, and viewed this act with indifference, but the Scotch, who were mostly dissenters, and much more moral and pious, looked upon it with *horror*, and not without some feelings of superstition.

I was told that a ludicrous scene took place in the course of the preceding winter. A good old woman that frequently passed the church, was in the habit of stopping at the door, and with loud lamentations, (amidst the hootings of the soldiery), bewailed the desolation of the house of prayer. She denounced on them the vengeance of Heaven, and assured them that good old Dr. Sewall, the former parson of the church, would rise from his grave, and carry them off.—A Scotch centinel was one night alarmed by an appearance of what he thought was an apparition of the doctor. He screamed violently, and alarmed the guard of grenadiers, who were always stationed at the Province-house, then occupied by general Howe. There was no pacifying him, until some one asked how the doctor was dressed, and he answered with a large wig and gown. One of the inhabitants who had been drawn there from curiosity, assured him it could not have been doctor

Sewall, because he never wore a wig, which restored the poor fellow to his senses. It was generally supposed to be a trick of one of the English soldiers, who wished to frighten a superstitious Scotchman: and for that purpose, had dressed himself in the clerical habit of the rev. Mr. Cooke, of the Menotomy, which he had plundered, on his retreat at the *battle of Lexington*.

In a former communication, I mentioned that one of the causes which led to the massacre of the 5th of March, 1770, was the affray between the inhabitants and the British soldiers, an account of which was related to me shortly after the event, by one who was an eye witness.

At that time there was only one house on the east side of what is now called Pearl street, in which then resided CHARLES PAXTON, esq. On the west side of the street, stood four or five rope walks, extending from the upper to the lower end of the street, which were all burnt in 1794. On Saturday afternoon, on the 3d March, 1770, a British soldier of the 29th regiment, accosted a negro who was employed in one of the rope walks, by enquiring "whether his master wanted to hire a man." (The soldiers who were *mechanics* were sometimes hired as journeymen). The negro answered that his "master wished to have the *VAULT KNITTED*, and that was a proper work for a *Lobster*."\* This produced a conflict between the soldier and the negro, and, before relief came to his assistance, the negro was very severely beaten. Some rope-walk men, (among whom was Mr. GRAY, the foreman of the walk), came up and parted them. Mr. GRAY, (who was a very respectable man), told the soldier that "as he had obtained satisfaction for the insult, he had better go to his barracks." The soldier "damned him" and said that "for six-pence he would *drub* him as he had done the negro"—A contest then took place between them in which the soldier received a much worse beating than the negro, and went off to his barracks over Fort-hill, on Wheelwright's (now Foster's) wharf swearing revenge. In about half an hour the soldier returned with about seventy of his comrades, who came over the hill huzzaing, armed with pipe staves split into bludgeons, which they obtained at a cooper's shop, and made the attack with great fury. Each party was brave and intrepid, but the *science* in this kind of warfare, which the ropewalk men had obtained in their "*Pope Day*" battles gave them a decided su-

\* *Lobsters* was the usual term of contempt, expressed in those days by the citizens of Boston, towards the British soldiers, and the citizens of London, in a late riot, at the *queen's funeral*, made use of the same epithet.

periority, and in their pursuit of the soldiers, halted on Fort-hill, and gave three cheers in token of victory.

The noise of the shouting and huzzaing resounded far around, and excited the curiosity of those at a distance. At that time, Mr. Hallowell, (grandfather of the present Admiral Hallowell, in the British navy), owned and resided in the house in Battery March-street, now occupied by Mr. Goodrich, near which he also owned a ship yard, about where now stands the Commercial Coffee House, in which he usually employed about fifty or sixty men. There was a mast yard a little south and several wood wharfs, on all which were also employed hardy laborers, who, together with the blacksmiths, blockmakers, and other athletic mechanics in the neighborhood, (whose brawny arms could wield a *slab* with as much dexterity as an Highlander could manage his broadsword), all ran towards the scene of combat. The bravery of the soldiers was not doubted, and accordingly, preparations were made to repel another attack which was expected, and in which they were not disappointed.—The shouting of the soldiers, issuing from the barrack-yard, to the number of more than three hundred, headed by the sergeant-major, moving over the hill towards Pearl street, soon gave the alarm. The soldiers pulled down the fence in High street, (then called Cow lane), which inclosed the field, where now stands Quincy place. The rope-walk men pulled down the fence on the opposite side in Pearl street, when both parties rushed on each other with equal intrepidity.—But the Herculean strength of virtuous labor, united with the activity and *science* of the Yankees, soon obtained a triumph over an idle, inactive, enervated, and intemperate, though brave soldiery.

The effect of this rencontre was seen in the countenances and conduct of the soldiers the next and following day, who looked vengeance on the inhabitants, especially those whom they suspected to be concerned in the affray on Saturday; and those of them, who were friendly to the citizens, advised them to remain at home on Monday evening, *as revenge would then be taken*.

The soldiers asserted on Sunday morning, that one of their men had *died of his wounds*, but as the body was never shewn, it was supposed to be only a *pretence* to justify the horrid scene which ensued on the Monday evening following.

So much has been written on the subject of the massacre of the 5th of March, 1779, that it is unpleasant to repeat "ugly recollections" respecting that horrid scene, except when it is necessary to vindicate our town from slander—to establish its

reputation for virtuous exertions in the hour of trial—patience under sufferings—and *forbearance* under severe provocation.

The threats of the soldiers, as mentioned in my last communication, were put in execution on Monday evening the 5th of March, 1770, by insulting and abusing many inhabitants in various parts of the town, which resulted in what was called the "horrid massacre," by which four persons were instantly killed, one died of his wounds a few days succeeding, and about seventeen in the total killed and wounded.

Language cannot describe the horror and indignation which was excited through the town by this dreadful event. The bells rang a terrific peal, which roused the whole population. More than five thousand citizens were collected in State street and its vicinity. The 29th regt. was marched into the same street. The 14th reg. was under arms at their barracks. What a scene for contemplation! Lieut. governor Hutchinson, and the king's council, were assembled in the council chamber, even at the solemn hour of midnight! Many of the venerable citizens repaired to them and demanded the surrender of the criminals to justice. The high-sheriff appeared in the balcony of the state house, and ordered *silence!!!* An awful stillness ensued—when, with a loud voice, he declared, that he was authorized by his honor the lieutenant governor and his majesty's council, with the consent of col. Dalrymple, to say that capt. Preston, and the men who had committed the outrage, should be immediately delivered to the civil power, and requested the citizens to retire peaceably to their dwellings; *which, after the soldiers had marched off, was complied with.*

The next day a town meeting was called, and the lieut. governor and council assembled, the proceedings of which are very eloquently described by the venerable sage of Quincy in one of his letters to Mr. Tudor, lately published.

The result of this melancholy affair was, that all the troops were ordered out of town, and the culprits brought to a trial, and *acquitted*, excepting two who were found guilty of manslaughter. The trial was one of the most important that had ever come before an *American* tribunal, especially as the public mind was wrought up to the highest tone of indignation. It established the character of the *judiciary* for *purity* and *independence*, which had been questioned by the *tories*. The law was triumphant, but the needless barbarity of the act never doubted.

The funeral of the unfortunate victims was attended with great pomp and parade. Thousands came



from the country; and the whole number that followed them to the grave, was supposed to exceed ten thousand!

History does not (perhaps) record an instance, where the moral and patriotic character of a city was ever more conspicuous than Boston exhibited on this occasion.

It was supposed by many, that the above recited horrid event, did more to effect an alienation of the affections of the people of New England from the British government, than any other whatever.

When I bring to my recollection, Mr. Russel, that solemn and impressive scene, when the high sheriff was delivering the governor's message from the balcony to the assembled thousands, I am irresistibly drawn to a contemplation of what must have been the wonder and astonishment of any one of that vast crowd of citizens, if an angel had descended from heaven and unfolded to him the events of futurity:—That, in less than seven short years, we should throw off our allegiance to a beloved king, and our connection with our mother country, to which we then looked with solicitude and affection, and fondly called it our home! That to establish our independence, would produce an eight years' war, in which all Europe would be directly or indirectly engaged! That seven young men, among that populace, would array themselves against their native country, and, finally, become admirals and generals in the English service! That one of them, then only an apprentice to a *Cornhill shop keeper*, should become distinguished, not only as a British officer, but as a general and a *count* in the German empire! A philosopher of a new school, which for usefulness would be paramount to all others, and at his death, establish a professorship in the university in our neighborhood.

That among them were two youths, a physician and a bookseller, who would become generals in the service of their native country; and one of them, by his heroic exertions in defending a *post*, would call forth the astonishment of the oldest veterans and lose his life in the attempt! That among them were forty young men, members of a military company, most of whom would become officers of artillery, and would distinguish themselves, (particularly on one occasion), where they would exhibit so much science and adroitness, as to command the admiration of their English and German foes! More wonderful yet—that among the principal officers of the 29th British regiment, then arrayed against the inhabitants, was one who would become a highly respected *American citizen*! would hold important offices under the American government;

become a member of her illustrious senate, and, after a peace of thirty years, a strenuous advocate for declaration of war against his native country!

And, "*tho' last not least*" among the citizens, was a young barrister whose brilliant talents would place him in the front ranks of patriotism, and cause him to become an ardent asserter of *independence*—an ambassador to England, France and Holland—the father of a navy, (destined to be the rival of the mistress of the sea), and finally the first magistrate of a great nation. In the council chamber, were many in the height of prosperity and honor, who, in a few years, fell from their elevated stations; and a governor, who, then basking in the sunshine of royal favor, was speedily consigned to infamy and ruin, and, it is said, died of a broken heart.

Such are the wonderful vicissitudes to which the life of man is subjected.

I believe it is Voltaire who says, that the publishing of history does not depend on its *truth*. The only question the publishers ask, is—"*Will it sell?*" which brings to my recollection some circumstances relative to Gordon's history of the American revolution.

In the year 1784, I became acquainted with an English gentleman, whose prejudices against our country were as violent, as they had been previous to his emigration in favor of it. One day when he was inveighing most bitterly against our conduct and institutions, he mentioned, with great asperity, the *tarring and feathering* of John Malcom, (a British custom-house officer), before the revolution, whose only crime, he said, was chastising an impudent boy. I told him, that if Mr. Malcom had not have drawn his sword on the boy, no notice would have been taken of his conduct. I did not however attempt to justify the deed, as it was condemned by good men of *both* parties; yet I insisted, that the character of the town or country ought not to be implicated, as it was done in the *night*, by a *very few* disorderly persons in *disguise*, who, if they had been discovered, would have been amenable to, and punished by the laws. I then related to him the conduct of colonel Nesbit, of the 47th British regiment, who caused an innocent countryman to be tarred and feathered, and carted *publicly* through the streets at noon day, with a guard of grenadiers, and the band of the regiment playing "*Yankee doodle*," and *himself* at the head of the party, in defiance of those laws he was sent to protect and enforce. My English friend seemed to think I was mistaken in the person of col. Nesbit, and thought it impossible that a *colonel* of one of *his* majesty's regiments, could be

guilty of such an outrageous act. A few days after this conversation, we met at Doctor Gordon's, (the author of the history of the American Revolution), who then lived at Roxbury. I introduced the subject again, when Doctor Gordon spoke of Nesbit's conduct in the strongest terms of reprobation; and, on being asked whether he had noticed the event in his history, he produced the manuscript, and read to me a detail of that transaction, which, with the observations and reflections connected with it, would make three or four pages of his work.

In 1790 I embarked for England, where I was introduced to a relation of Doctor Gordon, of whom I inquired how the Doctor had succeeded in his history? He smiled and said, "It was not Doctor Gordon's history!" On my requesting an explanation, he told me, that on the Doctor's arrival in England, he placed his manuscript in the hands of an intelligent friend, on whom he could depend, who, (after perusing it with care), declared that it was not suited to the meridian of England, consequently would never sell. The style was not agreeable—it was too favourable to the Americans—above all, it was full of *libels* against some of the most respectable characters in the British army and navy—and that if he possessed a fortune equal to the duke of Bedford's, he would not be able to pay the damages that might be recovered against him, as the *truth* would not be allowed to be produced in evidence. The doctor had returned to his native country, and expected to enjoy "*otium cum dignitate*." Overwhelmed with mortification, and almost with despair, he asked the advice of his friend; who recommended him to place the manuscript in the hands of a *professional gentleman*, that it might be new modelled, and made agreeable to *English* readers; this was assented to by the doctor, and the history which bears his name was compiled and written from his manuscript, *by another hand*!

If any of our historical or antiquarian societies, could obtain Gordon's original manuscript, it would be an invaluable document.

On hearing the foregoing narration, I had the curiosity to look into Gordon's history to learn what the "*professional gentleman*" had said of col. Nesbit and his exploits, when, to my surprise, I found he had devoted only a few lines to that subject, vol. 1, page 307, American edition. The whole of this statement evinces that all histories published in England, in which *that country* is concerned, cannot contain the *whole truth*.

[Another writer agrees generally in the fact, as to certain alterations in Gordon's history—but states that the author, indignant at the purgation, went to

work and re-wrote his history; the latter is thought to have been much less perfect than the original copy. The writer last alluded to says—]

"If doctor Gordon was *compelled* to leave out of his book some atrocious truths from dread of the pains and penalties of the British laws and customs, he, on the other side, *voluntarily* left out some matters to the discredit of America, which things he read to me from his manuscript, at his residence in Roxbury. I refer here particularly to the subject of *negro slavery*. He was also persuaded to soften his harsh picture of the illustrious Exempt."

There are very few of the present generation, who have any idea of the humiliations to which their ancestors were subjected, while under a colonial government, from the contumely and insolence of upstart officers, who, in their own country, had been as servile as the spaniel, but on their arrival here, *aped* the port and authority of the lion. Not only *humiliations*, but other severe sufferings and privations were endured by them, with patience and fortitude, and with a moral rectitude, which would have done honor to Greece or Rome, in their most virtuous days.

After the battle of Lexington, the egress of a part of the inhabitants of Boston was prohibited by a breach of faith on the part of Gen. Gage, and those who were permitted to depart, were obliged to obtain passports, as mentioned in my last communication.

It was not until the fifth of June that my father became determined to leave the town. On that day he directed me to make out a schedule of the family, agreeably to the rules instituted by general Gage, and demand a pass of major Cain, of the army, who was empowered to perform that service. Such was the crowd of citizens, eagerly pressing to obtain passports, that it was not until several hours of exertion that I was enabled to reach the door of the major's apartment, and when it was opened, I was so forcibly urged on by the crowd behind, that, on entering the chamber, I lost my balance, which caused me to rush violently into the room, and though he must have perceived that the act was involuntary, yet he had the brutality to exclaim (in broad Scotch) "hoot, hoot men! are you going to murder me?" I was obliged to bear this insolence in silence, though my countenance must have exhibited marks of indignation, and I walked to a window which looked into the court yard, where my feelings were still more excited by a view of my fellow citizens, who, with countenances almost bordering on despair, were waiting a favor-

able moment to obtain admission. The first reflection which presented itself to my mind was, what must be the indignation of our king, if he knew how his faithful, loyal, and affectionate subjects, were abused, insulted, and driven into acts of reluctant resistance. Which brought to my recollection a part of Warren's oration, on the preceding 5th of March, in which he observes, that "*The royal ear, far distant from this western world, has been assaulted by the tongue of slander, and villains, traitorous alike to king and country, have prevailed up on a gracious prince to clothe his countenance with wrath.*" Even then a reconciliation was fondly hoped for by many of the most strenuous assertors of the rights of the colonies, although blood had been shed at Lexington; and even after the battle of Bunker's Hill, the congress presented an humble petition to the king, and an affectionate address to their fellow subjects in England, in which, (with much feeling), they say, "*We have not yet learnt to rejoice at a victory obtained over Englishmen,*" and humbly entreated that their grievances might be redressed. Ardent hopes were entertained that these conciliatory and loyal measures, would induce the king to change his ministers, and take to his councils a *Chatham*, a *Cambden*, and a *Rockingham*. Most fortunately, however, for the eventual prosperity and happiness of America, they pursued their mad schemes of burning our towns, hiring the savages of the wilderness and foreign mercenaries, to spread death and desolation through the land, which finally weaned us from our fond attachments to an ungrateful and cruel mother, and, on the glorious 4th of July, 1776, we passed the Rubicon!—Never! never! never! to return again under her subjection, but to establish a government of our own, founded on the principles of justice and equal laws, the influence of whose example, we hope, will eventually emancipate the world from tyranny and despotism. America! recollect the awful and solemn responsibility which reposes on your conduct.

"Contemplate well; and if perchance thy home

"Salute thee with a father's honored name,

"Go call thy sons—instruct them what a DEBT

"They owe their ancestors, and make them swear

"To pay it, by transmitting down injire

"Those sacred rights, to which themselves were born."

But to return to the object of my communication—after waiting nearly an hour the major accosted me with, "*Well, young man, what do you want?*" I handed him a schedule of my father's family, including that of his sister's (the widow of a clergyman). He examined a small book which contained what the Tories called the "*black list*," when slowly raising his

scowling eyes, he said with great asperity, "*Your father, young man, is a damn'd rebel, and cannot be accommodated with a pass.*" Not at all intimidated by his brutality, I asserted with much vehemence, that my father was *no rebel*, that he adored the illustrious house of Hanover, and had fought for good king George the 2d, in *forty-five*. Whether it was, that he himself had been a *real rebel* in Scotland, in 1745, or whether my mentioning that number reminded him of Wilkes' North Briton No. 45, a paper published in London, and peculiarly obnoxious to the Scotch—or whether he thought my expression of the house of Hanover, was intended as an insinuation against his own loyalty, (which it really was),—whatever may have been the cause of his irritation—the moment I had finished speaking he rose from his chair, and with a countenance foaming with rage, he ordered me out of the room with abusive language. The sentinel at the door had an English countenance, and, with apparent sympathy, very civilly opened it for my departure, which I made without turning my back on my adversary.

On inquiry it was afterwards ascertained, that what constituted the crime of my father and caused him to be denominated a *rebel*, was his having been a member of the Whig club!

The Whig club, in consequence of the perturbed state of the times, had not assembled or met for more than a year. The gentlemen that had composed it, were *James Otis*, *Dr. Warren*, *Dr. Church*, *Dr. Young*, *Richard Derby*, of Salem, *Benjamin Kent*, *Nathaniel Barber*, *William Mackay*, col. *Bigelow*, of Worcester, and about half a dozen more. Through the instrumentality of my father, I was sometimes admitted to hear their deliberations. There was always at each meeting, a speech or dissertation by one of the members, on the principles of civil liberty, and the British constitution. They professed loyalty to the king, but were in violent opposition to the encroachments of the parliament, and their discussions tended to a consideration of what would be the duty of Americans if those encroachments were continued. For this purpose they corresponded with some society in London, the name of which I have forgotten, (probably the Revolution society). Among the names of their correspondents I recollect *Wilkes*, *Saville*, *Barre* and *Sambridge*. A few years previous to the revolution, they sent the London society two green turtle, one of which weighed 45 and the other 92 pounds. Those who are acquainted with the history of those times, will easily understand to what those numbers alluded. On their arrival in London, a grand dinner was prepared, at which col. *Barre* presided, and among other distin-

guished guests I recollect hearing the names of earl Temple, lord Camden, and the lord mayor; and among the toasts, "*The Whig club of Boston*," and "*The ninety-two patriots of Massachusetts Bay*," were drank with three times three cheers.

About the time of the burning the British government schooner *Gaspee*, at Newport, a few years previous to the revolution, admiral Montague, who then commanded the ships of war at Boston, took several of his officers and proceeded to Newport, to make personal inquiry into the affair. On his return to Boston, not far from Dedham, a charcoal cart obstructed the passage of the coach, when the coachman, feeling much consequence from his exalted station, in driving a British admiral, and knowing that his master was to dine that day with Mr. B. called, in an insolent manner, to the collier to turn out and make way for admiral Montague!—who, (not at all intimidated by the splendid equipage, imposing manner, and rich livery of the knight of the whip,) replied that he was in the *king's high way*, and that he should not 'turn out' for any one but the king himself, and thanked fortune that he had the law to support him. The admiral finding an altercation had taken place, on discovering the cause, told his coachman to get down and give the fellow a *thrashing*, but the coachman did not seem disposed to obey his commander. One of the officers in the coach, a large athletic man, alighted, reproached the coachman with being a coward, and was proceeding to take vengeance of the coal driver, who, perceiving so potent an adversary advancing, drew from his cart a *stake*, to use as a weapon of defence, and placing himself between his oxen, in an attitude of defence, he exclaimed—'*Well, I vow, if I must, darn me!* but I'll tarnish your laced jacket if you don't keep off.'—By this time the admiral and the other officers had left the coach, and finding that no laurels were to be obtained in such a contest, he made a conciliatory proposition, and condescended to ask that as a *favor*, which he had ordered his coachman to obtain by force.—'Ah! now said the collier, you behave like a gentleman, as you appear, and if you had been as *civil* at first, I vow I would have driven over the stone wall to *oblige you*—But I won't be drove; *I vow I won't*.'—The coal driver made way, and the admiral passed on.——When he arrived at Mr. B's he related the occurrence with much good humour, and appeared much gratified with the spirit and independence of the man. Mr. B. assured the admiral, that 'the collier had exhibited a true character of the American people, and that the story he had then related was an epitome of the dispute between Great Britain and her colo-

nies. Let the king *ask of us our aid*, and we will grant more than he will demand; but we will not be 'drove,' we will not be taxed by the parliament.'

Had the government of Great Britain been as conciliatory to Americans, as the honest good hearted Montague was to the collier, we should probably now be subjects of George IVth!—"The ways of heaven are dark and intricate."—We should still be servile dependants. We should not have a beautiful star-spangled banner, peeping into every port in the world, in pursuit of enterprize and wealth.—We should not now have merchants whose capital in trade is equal to that of a province, and making magnificent presents in support of literature and science that would do honor to princes. Let Americans be thankful for these mercies, and a thousand others and study to appreciate them.

*Tea*—There have been some doubts concerning the destruction of the tea on the 16th of December, 1773. The number of the ships, and the place where they were situated is not quite certain.—One gentleman, now living, over 70 years of age, thinks they were at Hubbard's wharf, as it was then called, about half way between Griffin's (now Liverpool) and Foster's wharf, and that the number of ships was four or five. Another gentleman, who is 75 years of age, and who was one of the guard detached from the new grenadier company, says that he spent the night, but one, before the destruction of the tea, in company with gen. Knox, then a private in that company, on board of one of the tea ships; that this ship lay on the south side of Russell's wharf; and that there were two more on the north side of the same wharf, and he thinks one or two at Griffin's wharf. A gentleman now living, who came from England in one of the tea ships, thinks there were but two, but he is uncertain where they lay. A song, written soon after the time, tells of "Three ill-fated ships at Griffin's wharf." The whole evidence seems to result in this, there were *three* ships—but whether at Russell's or Griffin's wharf, or one or more at each, is not certain. The number of chests destroyed was, according to the newspapers of the time, 342. There was a body meeting on this 16th of December, 1773. This matter of the tea was the occasion of the meeting. The meeting began at Fanueil Hall, but that place not being large enough it was adjourned to the Old South, and even that place could not contain all who came. Jonathan Williams was moderator. Among the spectators, was John Rowe, who lived in Pond street where Mr. Prescott now lives; among other things, he said,—"Who knows how tea will mingle

with salt water"—and this suggestion was received with great applause. Governor Hutchinson was at this time at the house on Milton hill where Barney Smith, esqr. lives. A committee was sent from the meeting, to request him to order the ships to depart.—While they were gone, speeches were made, for the purpose of keeping the people together. The committee returned about sun-set with his answer, that he could not interfere. At this moment the Indian yell was heard from the street. Mr. Samuel Adams cried out, that it was a trick of their enemies to disturb their meeting, and requested the people to keep their places—but the people rushed out, and accompanied the Indians to the ships. The number of persons disguised as Indians is variously stated—none put it lower than 60, none higher than 80. It is said by persons who were present, that nothing was destroyed but tea—and this was not done with noise and tumult, little or nothing being said either by the agents or the multitude,—who looked on. The impression was that of solemnity, rather than of riot and confusion.—The destruction was effected by the disguised persons, and some young men who volunteered; one of the latter collected the tea which fell into the shoes of himself and companions, and put it into a phial and sealed it up;—which phial is now in his possession,—containing the same tea.—The contrivers of this measure, and those who carried it into effect, will never be known; some few persons have been mentioned as being among the disguised; but there are many and obvious reasons why secrecy then, and concealment since, were necessary. None of those persons who were confidently said to have been of the party, (except some who were then minors or very young men), have ever admitted that they were so. The person who appeared to know more than any one, I ever spoke with, refused to mention names. Mr. Samuel Adams is thought to have been in the counselling of this exploit, and many other men who were leaders in the political affairs of the times;—and the hall of council is said to have been in the back room of Edes and Gill's printing office, at the corner of the alley leading to Battle street church from court street. There are very few alive now, who helped to empty the chests of tea, and these few will probably be as prudent as those who have gone before them.

*Daily Adv.*

#### FROM THE PITTSBURG STATESMAN.

At a critical period of the revolutionary war, when there was great danger of the dissolution of the American army, for want of provisions to keep

it together, a number of patriotic gentlemen gave their bonds to the amount of about two hundred and sixty thousand pounds, in gold and silver, for procuring them. The provisions were provided—the army was kept together, and our independence was finally achieved. The amount of the bonds was never called for, but it is well to keep in remembrance the names of those who in the times that tried men's souls, stepped forward and pledged their all towards the support of those who were contending for our liberty. The following is a list of some of their names, with the sums respectively subscribed by them.

Robert Morris	10000	Abraham Bickley	2000
B. M'Clenaghan	10000	Robert Bam	2000
A. Bunner & Co.	6000	Owen Biddle	2000
Tench Francis	5500	John Gibson	2000
James Wilson	5000	Charles Pettit	2000
William Bingham	5000	John Mitchell	2000
Richard Peters	5000	Robert Knox	2000
Samuel Meredith	5000	John Bullock	2000
James Mease	5000	Joseph Red	2000
Thomas Barclay	5000	Francis Gurney	2000
Samuel Morris, jr.	5000	George Campbell	2000
Robert L. Hooper	5000	John Wharton	2000
Hugh Shield	5000	Benjamin Bush	2000
Philip Moore	5000	Thomas Lawrence	2000
Matthew Irwin	5000	Joseph Steiner	2000
Thomas Irwin	5000	William Hall	2000
John Benzet	5000	John Patton	2000
Henry Hill	5000	Benjamin Fuller	2000
John Morgan	5000	Meade & Fitzsimmons	2000
Thomas Willing	5000	Andrew Hodge	2000
Samuel Powell	5000	Henry Keppeler	2000
John Nixon	5000	Francis C. Hansen	2000
Robert Bridges	5000	Cleaver	2000
John Dunlap	4000	Isaac Melcher	2000
Michael Hillegas	4000	John Schaffer	2000
William Coates	4000	Alexander Tod	2000
Emanuel Eyre	4000	John Purviance	2000
James Bodden	4000	John Wilcocks	2000
John Mease	4000	Samuel Inglis	2000
Joseph Carson	4000	Jonathan Penrose	2000
Thomas Leiper	4000	Nathaniel Falkner	2000
Kean & Nichols	4000	James Caldwell	2000
Samuel Morris	3000	Gerardus Clarkson	2000
Isaac Moses	3000	John Shee	1000
Charles Thompson	3000	Samuel Caldwell	1000
John Pringle	3000	Samuel Penrose	1000
Samuel Miles	3000	William Turnbull	1000
Cadwalader Morris	2500	B. Davis jr.	1000
Matthew Clarkson	2500	Sharp Delany	1000
Thomas M'Kean	2000	Andrew Dux	1000
John Donaldson	2000	Peter Whitesides	1000
John Seimetz	2000	Andrew Robeson	1000
Benj. Randolph	2000		

#### ARMS OF THE UNITED STATES.

Although the study of heraldry may not be very amusing to our readers, yet as the eagle with extended wings, grasping the arms of war and the olive of peace, is constantly presented to our eyes, in some way or other, it may not be uninteresting to give a history and an explanation of the arms of our country.

In June, 1782, when congress were about to form an armorial device for a seal for the union, Charles Thompson, esq. then secretary, with the honorable Dr Arthur Lee and E. Boudinot, members of congress, called on Mr. William Barton, and consulted him on the occasion. The great seal, for which Mr. Barton furnished these gentlemen with devices, was adopted by congress on the 26th of June, 1782. The device is as follows:

*Arms*—Paleways of thirteen pieces, argent,\* gules, a chief azure, the escutcheon on the breast of the American eagle, displayed, proper, holding in his dexter talon an olive branch, and in his sinister a bunch of thirteen arrows, all proper; and in his beak a scroll, with the motto "*E pluribus unum.*"

*The crest*—Over the head of the eagle, which appears above the escutcheon, a glory, or, breaking through a cloud proper, and surrounding stars, forming a constellation, argent, on an azure field.

*Reverse*—A pyramid unfinished.

In the zenith an eye in a triangle, surrounded with a glory. Over the eye these words, "*Annuit cœptis.*"

*Remarks and explanations*—The escutcheon is composed of the chief and pale, the two most honorable ordinaries. The thirteen pieces pale, represent the several states in the union, all joined in one solid compact entire, supporting a chief which unites the whole, and represents congress. The motto alludes to the union.

The pales in the arms are kept closely united by the chief, and the chief depends on that union, and the strength resulting from it, for its support, to denote the confederacy of the states, and the preservation of the union, through congress.

The colours of the pales are those used in the flag of the United States of America. White signifies purity and innocence; red, hardness and valor; and blue, the colour of the chief, signifies vigilance, perseverance and justice. The olive branch and arrows denote the power of peace and war, which is exclusively vested in congress.

The crest, or constellation, denotes a new state taking its place and rank among other foreign powers.

The escutcheon, borne on the breast of an American eagle, without any other supporters, denotes that the U. States ought to rely on their own virtue

\*In heraldry, argent signifies white, gules red, and azure blue; where these colors cannot be emblazoned, they are represented on seals, &c. as follows: Argent, by a perfect blank; red by perpendicular, and azure by horizontal lines. The chief in our arms, on the horizontal lines in the upper quarter of the escutcheon, or eagle's breast.

The pyramid on the reverse, signifies strength and devotion; its unfinished state refers to the infancy of the American government. The eye over it, and the motto, "*Annuit cœptis,*" "he sanctions our endeavours," allude to the many and single interpositions of Providence in favor of the American cause.

[*Nat. Recorder.*]

#### DOCTOR FRANKLIN.

The author of the "*Système de La Nature*" says—"What imports it to me, that Maupérou is a good geometrician, if he be a despotic and merciless president, and if I be obliged to live in his domain or his academy? A beneficent man is, in my opinion, much more estimable, than a being who is learned, but cruel."—*Mirabeau the Elder.* Not so with our Dr. Franklin—for, "Whatever he writes, his fellow citizens read with eagerness, delight and pleasure—and whatever he performs the civilized part of the world approves."—*Turgot to Dr. Price.*

From among "the political, miscellaneous, and philosophical pieces of Dr. Franklin, printed in London, 1779, p. 297," is extracted the following, and placed at your service. CIVIS.

"At the conclusion of the peace of 1762, when certain projectors advised the English ministers to leave the French in possession of Canada, in order that they might check the too rapid increase of the English colonies, the celebrated doctor Franklin observed 'It is a modest word, this CHECK, for massacring men, women, and children; and for all the other horrors of Indian warfare.' It was being very far-sighted indeed, to feel so soon the necessity of checking the excessive population of the then English colonies. 'But,' continues this truly great man, with that Socratic simplicity which is the peculiar characteristic of his writings, 'If it be, after all, thought necessary to check the growth of our colonies, give me leave to propose a method less cruel. 'It is a method of which we have an example in the *scripture*. The murder of husbands, of wives, of brothers, sisters and children, whose pleasing society has been for some time enjoyed, affects deeply the respective surviving relations: but grief for the loss of a child just born is short, and easily supported. The method I mean is, that which was dictated by the *Egyptian policy*, when the infinite increase of the children of Israel was apprehended as dangerous to the state; and PHARAOH said unto his priests, behold the people of the children of Israel are more and mightier than we; come on, let us deal wisely with them, lest they multiply, and it come to pass that when there falleth out any war, they join also unto our enemies, and fight against us, and so get them up o:3

*'of the land:—And the king spake unto the Hebrew midwives, &c.—Exo. Chap 1. Now says the doctor, 'let an act of parliament be made, enjoining the colony midwives to stifle, in the birth, every third or fourth child. By this means may you keep the colonies to their size. And if they were under the hard alternative of submitting to one or the other of these schemes for checking their growth, I dare answer for them they would prefer the latter.'*

*Note by the transcriber.—They seem to have found out since that time, another method or scheme which, by the bye, they never have dared to own, 'and have always disavowed' it personally to our ambassadors, 'though they have never discontinued it' in practice, until general J. made an example of two of their notorious assistants; and could he have been so fortunate as to have caught the two principal agents, col. W—e and Col. N—s, and made them also the objects of 'exact justice,' we should not hear for a length of time of any more 'secret schemes for the depopulation of the frontiers of the United States.'*

*Best. Pat.*

#### GENERAL MARION.

A biography of this revolutionary hero, it appears, by an article in the Southern Patriot, has been written by judge James, of South Carolina; and the following extract has been given in that paper as a specimen of the work about to be published:

"To people of good principles, particularly the religious, at this period (1780 and 1781), was truly distressing. Those fit for military service, including men of sixty years of age and boys of fourteen, few of whom dared to stay at home, were engaged in active warfare, and had their minds in constant occupation, which, in whatever situation man may be placed, brings with it a certain degree of satisfaction, if not content. But to the superannuated and the female sex, no such satisfaction was afforded. Most of those had relatives to whom they were bound by the most tender and sacred ties, who were exposed to constant danger, and for whose fate they were unceasingly anxious. As a comfort in this situation, they might employ themselves in household affairs, or resort to private devotion; but those refined pleasures, which arise from social intercourse, were waning; and particularly that faint picture of heaven, the consolation which is derived from meeting one's friends in public worship, was wholly denied them. Most of the churches in towns and in the country were burnt or made depots for the military stores of the enemy—some, in fact, were converted into stables; and, of

the remainder, all in the country were closed. In a war of such atrocity there was no safety, where members, however peaceful, were collected; we have seen that the British Tories\* violated the sanctity of private dwellings by their murders, and how could it be expected they would be awed by the holiness of a church? In a camp where was no permanency, and but little rest, there was no place for chaplains—and at home there was no security, even for the pastors of the church; consequently they were compelled to go into exile. Had they gone out of their own families to administer comfort, it would have been said they were stirring up sedition; and, like some bigots of old, they would have made themselves voluntary martyrs. They took the wiser course of retiring with their families from the murderous rage of the times."

"Near the close of the year 1780, there took place a skirmish between a small patrol of whigs, under capt. Melton, and a large party of Tories, under major Ganey, near White's Bridge, two miles from Georgetown; a few shots were exchanged, and Melton was obliged to retreat. But, in this short affair, Gabriel Marion, nephew to the general, was first taken prisoner, and when his name was announced, inhumanly shot. The instrument of death was placed so near that it burnt his linen at the breast. He was a young gentleman, who had received a good education—of whom high expectations were formed, and who was much beloved in the brigade. The general had no children, and he mourned over this youth, as would a father over an only child, and all his men condoled with him, but he soon publicly expressed this consolation for himself that his nephew was a virtuous young man—that he died in defence of his country, and that he would mourn over him no more.

At that same place a worthy man, Mr. Swaineau, was killed. Ere this he had been a schoolmaster, but, finding there was no employment for men of his peaceful profession now, he boldly shouldered the musket and died a soldier. But so prone are mankind to pass over the merits of this useful class of citizens, that, had he not fallen by the side of a Marion, perhaps his memory would have been forgotten. About the same time Mr. Bently, another

\*The British, under Tarlton, had already, (in May, 1780), cut to pieces Mr. Samuel Wyley, in his own house, at Camden, whom they mistook for his brother, John Wyley, who was sheriff of the district; and the Tories, under Harrison, had murdered in their dwellings, the two Mr. Bradleys, Mr. Roberts, and others, in that part of Salem which lies on Lynch's creek. Lord Cornwallis soon made Harrison a colonel.



schoolmaster, was killed in action. The suspension of all public education, which led to the fate of such men, and the fact stated above, that all public worship was now at an end, most forcibly shewed the calamitous state of the country during this eventful period."

"Men at this time, and their general too, had nothing but water to drink—they commonly wore homespun clothes, which lacked warmth—they slept in damp places, according to their means, either with or without a blanket; he was well off who had one to himself; the one half of the general's had been burnt—they were content to feed upon sweet potatoes, either with or without beef; there being neither mills nor leisure to grind corn—but all sighed for salt—for salt! that article of the first necessity to the human race. Little do the luxurious of the present day know of the pressure of such a want. Salt, when brought from the sea-shore off Waccanaw, where it was coarsely manufactured, brought at that time ten silver dollars, each more than ten at present; thus bay salt, one half brine, sold for at least one hundred dollars value of this day. As soon as general Marion could collect a sufficient quantity of this desirable article, he distributed it out from Snow's Island, on Pedee, in quantities not exceeding a bushel, to each Whig family, and thus endeared himself the more to his followers."

#### THE OLDEN TIME.

There is in course of publication, in the Boston Gazette, the long-boarded literary treasures of an accurate observer's common-place-book, giving us an amusing view of the society and manners of Boston, rather less than a century ago—differing somewhat, it will be seen, from those of the present day. These sketches, one of the numbers of which will be found below, are appropriately headed

#### REMINISCENCES.

*Dress, &c.*—Seventy years ago cocked hats, wigs, and red cloaks, were the usual dress of gentlemen, boots were rarely seen, except among military men. Shoe strings were worn only by those who could not buy any sort of buckles. In winter round coats were used, made stiff with buckram; they came down to the knees in front.

Before the revolution boys wore wigs and cocked hats; and boys of genteel families wore cocked hats till within about thirty years.

Ball dress for gentlemen was silk coat, and breeches of the same, and embroidered waistcoats—some-

times white satin breeches. Buckles were fashionable till within 15 or 20 years, and a man could not have remained in a ball room with shoe-strings. It was usual for the bride, bridegroom and maids, and men attending, to go to church together three successive Sundays after the wedding, with a change of dress each day. A gentleman who deceased not long since, appeared the first Sunday in white broad cloth—the second in blue and gold; the third in peach bloom and pearl buttons. It was a custom to hang the escutcheon of a deceased head of a family out of the window over the front door, from the time of his decease until after the funeral. The last instance which is remembered of this, was in the case of gov. Hancock's uncle, 1764. Copies of the escutcheon, painted on black silk, were more anciently distributed among the pall-bearers—rings afterwards—and, until within a few years, gloves. Dr. A. Eliot had a mug full of rings which were presented to him at funerals. Till within about 30 years gentlemen wore powder, and many of them sat from thirty to forty minutes under the barber's hands, to have their hair craped; suffering no inconsiderable pain most of the time from hair-pulling, and sometimes, from the hot curling tongs.—Crape cushions and hoops were indispensable in full dress, till within about 30 years. Sometimes ladies were dressed the day before the party, and slept in easy chairs, to keep their hair in fit condition for the following night. Most ladies went to parties on foot, if they could not get a cast in a friend's carriage or chaise. Gentlemen rarely had a chance to ride.

The latest dinner hour was 2 o'clock; some officers of the colonial government dined later occasionally. In genteel families ladies went to drink tea about 4 o'clock, and rarely staid after candle light in summer. It was the fashion for ladies to propose to visit—not to be sent for.

The drinking of punch in the forenoon, in public houses, was a common practice with the most respectable men, till about five and twenty years; and evening clubs were very common. The latter, it is said, were more common formerly, as they afforded the means of communion on the state of the country. Dinner parties were very rare. Wine was very little in use; convivial parties drank punch or toddy. Half-boots came into fashion about 30 years ago. The first pair that appeared in Boston were worn by a young gentleman who came here from New York, and who was more remarkable for his boots than any thing else. Within 20 years gentlemen wore scarlet coats with black velvet collars, and very costly buttons, of mock pearl, cut steel, or



ainted glass—and neckcloths edged with lace, and faced ruffles over the hands. Before the revolution, from 5 to 600*l.* was the utmost of annual expenditure in those families where carriages and correspondent domestics were kept. There were only two or three carriages, that is, chariots or coaches, in 1750. Chaises on four wheels, not phaetons, were in use in families of distinction.

The history of *Liberty Tree* is said to be this: that a certain capt. McIntosh illuminated the tree, and hung upon it effigies of obnoxious characters, and that these were taken down by the liberty boys and burnt; and the tree thus got its name.

*The Popes*—A stage was erected on wheels; on this stage was placed a figure in the chair, called the pope; behind him a female figure, in the attitude of dancing, whom they called Nancy Dawson; behind her Admiral Byng hanging on a gallows; and behind him the devil. A similar composition was made at the south-end, called south-end pope. In the day time the processions, each drawing with them their popes and their attendants, met and assailed each other, on the mill or drawbridge, very civilly; but in the evening they met at the same points, and battle ensued with fists, sticks, and stones; and one or the other of the popes was captured. The north-end pope was never taken but once, and then the captain had been early wounded and taken from the field. These pope conflicts were held in memory of the powder-plot of Nov. 5, and were some sort of imitation of what was done in England on the same anniversary.

A man used to ride on an ass, with immense jack boots; and his face covered with a horrible mask, and was called Joyce, Jr. His office was to assemble men and boys in mob style, and ride in the middle of them, and in such company to terrify the adherents to royal government, before the revolution. The tumults which resulted in the massacre, 1770, was excited by such means. *Joyce, Junior*, was said to have a particular whistle, which brought his adherents, &c. whenever they were wanted.

About 1730 to 1740, there was no meat market; there were only four shops in which fresh meat was sold—one of them was the corner of State-street and Cornhill, where Mr. Hartsborn now keeps.—Gentlemen used to go the day before and have their names put down for what they wanted. Outside of this shop was a large hook, on which carcasses used to hang. A little man who was a justice of the peace, came one day for meat; but came too late. He was disappointed, and asked to whom such and such pieces were to go? One of them was to go to

a tradesman—(it was not a common thing in those days for tradesmen to eat fresh meat—)the justice went out, saying, he would send the tradesman a sallad for his lamb. He sent an overdue and unpaid tax-bill. Soon after, the tradesman met the justice near this place, and told him he would return his kindness; which he did, by hanging the justice up by the waistband of his breeches to the butcher's hook, and leaving him to get down as he could.

#### FROM BOTTA'S AMERICAN REVOLUTION.

One of the most interesting works that has ever appeared as a history of "the war of the independence of the United States of America," was written by Mr. *Charles Botta*, an Italian, a translation of which has been made by Mr. *George Alexander Otis*. From these volumes we extract the two speeches that follow—previous to the insertion of which, it is necessary to give the "notice of the author" in relation to them. By way of preface to his work, Mr. Botta says—

"There will be found, in the course of this history, several discourses, of a certain length. Those I have put in the mouth of the different speakers have really been pronounced by them, and upon those very occasions which are treated of in the work. I should, however, mention that I have, sometimes, made a single orator say what has been said in substance by others of the same party.—Sometimes, also, but rarely, using the liberty, granted in all times to historians, I have ventured to add a small number of phrases, which appeared to me to coincide perfectly with the sense of the orator, and proper to enforce his opinion: this has happened especially in the two discourses pronounced before congress, for and against independence, by Richard Henry Lee and John Dickinson.

"It will not escape attentive readers, that in some of these discourses are found predictions which time has accomplished. I affirm that these remarkable passages belong entirely to the authors cited. In order that these might not resemble those of the poets, always made after the fact, I have been so scrupulous as to translate them, word for word, from the original."

On the 8th of June [1776], says Mr. Botta, a motion being made in congress to declare independence, *Richard Henry Lee*, one of the deputies from Virginia, spoke as follows and was heard with profound attention:

"I know not, whether among all the civil discords which have been recorded by historians, and

which have been excited either by the love of liberty in the people, or by the ambition of princes, there has ever been presented a deliberation more interesting or more important than that which now engages our attention; whether we consider the future destiny of this free and virtuous people, or that of our enemies themselves, who, notwithstanding their tyranny and this cruel war, are still our brethren, and descended from a common stock; or finally, that of the other nations of the globe, whose eyes are intent upon this great spectacle, and who anticipate from our success more freedom for themselves, or from our defeat apprehend heavier chains and a severer bondage. For the question is not whether we shall acquire an increase of territorial dominion, or wickedly wrest from others their just possessions; but whether we shall preserve, or lose forever, that liberty which we have inherited from our ancestors, which we have pursued across tempestuous seas, and which we have defended in this land against barbarous men, ferocious beasts, and an inclement sky. And if so many and distinguished praises have always been lavished upon the generous defenders of Greek and of Roman liberty, what will be said of us who defend a liberty which is founded not upon the capricious will of an unstable multitude, but upon immutable statutes and tutelary laws; not that which was the exclusive privilege of a few patricians, but that which is the property of all; not that which was stained by iniquitous ostracisms, or the horrible decimation of armies, but that which is pure, temperate and gentle, and conformed to the civilization of the present age. Why then do we longer procrastinate, and wherefore are these delays? Let us complete the enterprise already so well commenced; and since our union with England can no longer consist with that liberty and peace which are our chief delight, let us dissolve these fatal ties, and conquer forever that good which we already enjoy; an entire and absolute independence.

"But ought I not to begin by observing, that if we have reached that violent extremity, beyond which nothing can any longer exist between America and England, but either such war or such peace as are made between foreign nations, this can only be imputed to the insatiable cupidity, the tyrannical proceedings, and the outrages, for ten years reiterated, of the British ministers. What have we not done to restore peace, to re-establish harmony? Who has not heard our prayers, and who is ignorant of our supplications? They have wearied the universe. England alone was deaf to our complaints, and wanted that compassion towards us which we

have found among all other nations. And as at first our forbearance, and then our resistance, have proved equally insufficient, since our prayers were unavailing, as well as the blood lately shed; we must go further, and proclaim our independence.—Nor let any one believe that we have any other option left. The time will certainly come when the fated separation must take place, whether you will or no; for so it is decreed by the very nature of things, the progressive increase of our population, the fertility of our soil, the extent of our territory, the industry of our countrymen, and the immensity of the ocean which separates the two states.—And if this be true, as is most true, who does not see that the sooner it takes place the better; and that it would be not only imprudent, but the height of folly, not to seize the present occasion, when British injustice has filled all hearts with indignation, inspired all minds with courage, united all opinions in one, and put arms in every hand? And how long must we traverse three thousand miles of a stormy sea, to go and solicit of arrogant and insolent men either councils or commands to regulate our domestic affairs? Does it not become a great, rich, and powerful nation, as we are, to look at home, and not abroad, for the government of its own concerns? And how can a ministry of strangers judge, with any discernment, of our interests, when they know not, and when it little imports them to know, what is good for us, and what is not? The past injustice of the British ministers should warn us against the future, if they should ever seize us again in their cruel claws. Since it has pleased our barbarous enemies to place before us, the alternative of slavery or of independence, where is the generous minded man and the lover of his country who can hesitate to choose? With these perfidious men no promise is secure, no pledges sacred. Let us suppose, which heaven avert, that we are conquered; let us suppose an accommodation. What assurance have we of the British moderation in victory, or good faith in treaty? Is it their having enlisted and let loose against us the ferocious Indians, and the merciless soldiers of Germany? Is it that faith, so often pledged and so often violated in the course of the present contest; this British faith, which is reputed more false than Punic? We ought rather to expect, that when we shall have fallen naked and unarmed into their hands, they will wreak upon us their fury and their vengeance; they will load us with heavier chains, in order to deprive us not only of the power, but even of the hope of again recovering our liberty. But I am willing to admit, although it is

a thing without example, that the British government will forget past offences and perform its promises; can we imagine, that, after so long dissensions, after so many outrages, so many combats, and so much bloodshed, our reconciliation could be durable, and that every day, in the midst of so much hatred and rancour, would not afford some fresh subject of animosity? The two nations are already seperated in interest and affections; the one is conscious of its ancient strength, the other has become acquainted with its newly exerted force; the one desires to rule in an arbitrary manner, the other will not obey even if allowed its privileges. In such a state of things, what peace, what concord, can be expected. The Americans may become faithful friends to the English, but subjects, never. And even though union could be restored without rancour, it could not without danger.—The wealth and power of Great Britain should inspire prudent men with fears for the future. Having reached such a height of grandeur that she has no longer any thing to dread from foreign powers, in the security of peace the spirit of her people will decay, manners will be corrupted, her youth will grow up in the midst of vice, and in this state of degeneration, England will become the prey of a foreign enemy, or an ambitious citizen. If we remain united with her, we shall partake of her corruptions and misfortunes, the more to be dreaded as they will be irreparable; seperated from her, on the contrary, as we are, we should neither have to fear the seductions of peace nor the dangers of war. By a declaration of our freedom, the perils would not be increased; but we should add to the ardour of our defenders, and to the splendour of victory. Let us then take a firm step and escape from this labyrinth; we have assumed the sovereign power, and dare not confess it, we disobey a king, and acknowledge ourselves his subjects; wage war against a people, on whom we incessantly protest our desire to depend. What is the consequence of so many inconsistencies? Hesitation paralyzes all our measures; the way we ought to pursue is not marked out; our generals are neither respected nor obeyed; our soldiers have neither confidence nor zeal; feeble at home, and little considered abroad, foreign princes can neither esteem nor succour so timid and wavering a people. But independence once proclaimed, and our object avowed, more manly and decided measures will be adopted, all minds will be fired by the greatness of the enterprize, the civil magistrates will be inspired with new zeal, the generals with fresh ardour, and the citizens with greater constancy, to attain so high and so

glorious a destiny. There are some who seem to dread the effects of this resolution. But will England, or can she, manifest against us greater vigour and rage than she has already displayed? She deems resistance against oppression no less rebellious than independence itself. And where are those formidable troops that are to subdue the Americans? What the English could not do, can it be done by Germans? Are they more brave or better disciplined? The number of our enemies is increased; but our own is not diminished, and the battles we have sustained have given us the practice of arms and the experience of war. Who doubts then that a declaration of independence will procure us allies? All nations are desirous of procuring, by commerce, the production of our exuberant soil; they will visit our ports hitherto closed by the monopoly of insatiable England. They are no less eager to contemplate the reduction of her hated power; they all loathe her barbarous dominion; their succours will evince to our brave countrymen the gratitude they bear them for having been the first to shake the foundation of this Colossus. Foreign princes wait only for the extinction of all hazard of reconciliation to throw off their present reserve. If this measure is useful, it is no less becoming our dignity. America has arrived at a degree of power which assigns her a place among independent nations; we are not less entitled to it than the English themselves. If they have wealth, so also have we; if they are brave, so are we; if they are more numerous, our population, through the incredible fruitfulness of our chaste wives, will soon equal theirs; if they have men of renown as well in peace as in war, we likewise have such; political revolutions usually produce great, brave, and generous spirits. From what we have already achieved in these painful beginnings, it is easy to presume what we shall hereafter accomplish, for experience is the source of sage counsels, and liberty is the mother of great men. Have you not seen the enemy driven from Lexington by thirty thousand citizens armed and assembled in one day? Already their most celebrated generals have yielded in Boston to the skill of ours; already their seamen, repulsed from our coasts, wander over the ocean, where they are the sport of tempest, and the prey of famine. Let us hail the favorable omen, and fight, not for the sake of knowing on what terms we are to be the slaves of England, but to secure to ourselves a free existence, to found a just and independent government. Animated by liberty, the Greeks repulsed the innumerable army of Persians; sustained by the love of independence, the Swiss and the Dutch humbled the

power of Austria by memorable defeats; and conquered a rank among nations. But the sun of America also shines upon the heads of the brave; the point of our weapons is no less formidable than theirs; here also the same union prevails, the same contempt of dangers and of death in asserting the cause of country.

"Why then do we longer delay, why still deliberate? Let this most happy day give birth to the American republic. Let her arise, not to devastate and conquer, but to re-establish the reign of peace and of the laws. The eyes of Europe are fixed upon us! she demands of us a living example of freedom, that may contrast, by the felicity of the citizens, with the ever increasing tyranny which desolates her polluted shores. She invites us to prepare an asylum where the unhappy may find solace, and the persecuted repose. She intreats us to cultivate a propitious soil, where that generous plant, which first sprung up and grew in England, but is now withered by the poisonous blasts of Scottish tyranny, may revive and flourish, sheltering under its salubrious and interminable shade all the unfortunate of the human race. This is the end presaged by so many omens, by our first victories, by the present ardour and union, by the flight of Howe, and the pestilence which broke out amongst Dunmore's people, by the very winds which baffled the enemy's fleets and transports, and that terrible tempest which engulfed seven hundred vessels upon the coast of Newfoundland. If we are not this day wanting in our duty to country, the names of the American legislators will be placed, by posterity, at the side of those of Theseus, of Lycurgus, of Romulus, of Numa, of the three Williams of Nassau, and of all those whose memory has been, and will be, forever dear to virtuous men and good citizens."

Lee had scarcely ceased speaking, when no dubious signs of approbation were manifested on all parts. But the deputies of Pennsylvania and Maryland not being present, and the congress desirous, by some delay, to evidence the maturity of their deliberations, adjourned the further consideration of the subject to the first of July. Meanwhile the patriots labored strenuously to induce the two dissenting provinces also to decide for independence. They employed the most earnest persuasions, to which they added also threats, intimating that not only would the other colonies exclude them from the confederation, but that they would immediately treat them as enemies. The provincial assembly of Pennsylvania remained inflexible. At length, the inhabitants of Pennsylvania formed a convention,

in which the debates and disputes upon the question of independence were many and vehement.

John Dickinson, one of the deputies of the province to the general congress, a man of prompt genius, of extensive influence, and one of the most zealous partisans of American liberty, restricted however to the condition of union with England, harangued, it is said, in the following manner against independence:

"It too often happens, fellow citizens, that men, heated by the spirit of party, give more importance in their discourses, to the surface and appearance of objects, than either to reason or justice; thus evincing that their aim is not to appease tumults, but to excite them; not to repress the passions, but to inflame them, not to compose ferocious discords, but to exasperate and embitter them more and more. They aspire but to please the powerful, to gratify their own ambition, to flatter the caprices of the multitude, in order to captivate their favour. Accordingly in popular commotions, the party of wisdom and of equity is commonly found in the minority; and, perhaps, it would be safer, in difficult circumstances, to consult the smaller instead of the greater number. Upon this principle I invite the attention of those who hear me, since my opinion may differ from that of the majority; but I dare believe it will be shared by all impartial and moderate citizens, who condemn this tumultuous proceeding, this attempt to coerce our opinions, and to drag us, with so much precipitation to the most serious and important of decisions. But, coming to the subject in controversy, I affirm, that prudent men do not abandon objects which are certain, to go in pursuit of those which offer only uncertainty. Now, it is an established fact, that America can be well and happily governed by the English laws, under the same king and the same parliament. Two hundred years of happiness furnish the proof of it; and we find it also in the present prosperity, which is the result of these venerable laws and of this ancient union. It is not as independent, but as subjects; not as republic, but as monarchy, that we have arrived at this degree of power and of greatness.

"What then is the object of these chimeras, hatched in the days of discord and of war? Shall the transports of fury have more power over us than the experience of ages? Shall we destroy, in an moment of anger, the work cemented and tested by time?

"I know the name of liberty is dear to each one of us; but have we not enjoyed liberty even under the English monarchy? Shall we this day renounce that to go and seek it in I know not what form of

## PRINCIPLES AND ACTS OF THE REVOLUTION.

republic, which will soon change into a licentious anarchy and popular tyranny? In the human body the head only sustains and governs all the members, directing them, with admirable harmony, to the same object, which is self-preservation and happiness; so the head of the body politic, that is the king, in concert with the parliament, can alone maintain the union of the members of this empire, lately so flourishing, and prevent civil war by obviating all the evils produced by variety of opinions and diversity of interests. And so firm is my persuasion of this, that I fully believe the most cruel war which Great Britain could make upon us, would be that of not making any; and that the surest means of bringing us back to her obedience, would be that of employing none. For the dread of the English arms once removed, provinces would rise up against provinces, and cities against cities; and we should be seen to turn against ourselves the arms we have taken up to combat the common enemy.

"Insurmountable necessity would then compel us to resort to the tutelary authority which we should have rashly abjured, and if it consented to receive us again under its egis, it would be no longer as free citizens, but as slaves. Still inexperienced, and in our infancy, what proof have we given of our ability to walk without a guide? none, and, if we judge the future by the past, we must conclude that our concord will continue as long as the danger, and no longer.

"Even when the powerful hand of England supported us, for the paltry motives of territorial limits and distant jurisdictions, have we not abandoned ourselves to discords, and sometimes even to violence? And what must we not expect now that minds are heated, ambitions roused, and arms in the hands of all?

"If, therefore, our union with England offers us so many advantages for the maintenance of internal peace, it is no less necessary to procure us, with foreign powers, that condescension and respect which is so essential to the prosperity of our commerce, to the enjoyment of any consideration, and to the accomplishment of any enterprize. Hitherto, in our intercourse with the different nations of the world, England has lent us the support of her name and of her arms: we have presented ourselves in all the ports and in all the cities of the globe, not as Americans, a people scarcely heard of, but as English; under the shadow of this respected name, every port was open to us, every way was smooth, every demand was heard with favor. From the

moment when our separation shall take place, every thing will assume a contrary direction. The nation will accustom themselves to look upon us with disdain; even the pirates of Africa and Europe will fall upon our vessels, will massacre our seamen, or lead them into a cruel and perpetual slavery.

"There is in the human species, often so inexplicable in their affections, a manifest propensity to oppress the feeble as well as to flatter the powerful. Fear always carries it against reason, pride against moderation, and cruelty against clemency.

"Independence, I am aware, has attractions for all mankind; but I maintain, that, in the present quarrel, the friends of independence are the promoters of slavery, and that those who desire to separate us, would but render us more dependent, if independence means the right of commanding, and not the necessity of obeying, and if being dependent is to obey, and not to command. If, in rendering ourselves independent of England, supposing, however, that we should be able to effect it, we might be so, at the same time, of all other nations, I should applaud the project; but to change the condition of English subjects for that of slaves to the whole world, is a step that could only be counselled by insanity. If you would reduce yourselves to the necessity of obeying, in all things, the mandates of supercilious France, who is now kindling fire under our feet, declare yourselves independent. If, to British liberty, you prefer the liberty of Holland, of Venice, of Genoa, or of Ragusa, declare yourselves independent. But, if we would not change the signification of words, let us preserve and carefully maintain this dependence, which has been, down to this very hour, the principle and source of our prosperity, of our liberty, of our real independence.

"But here I am interrupted, and told that no one questions the advantages which America derived at first from her conjunction with England; but that the new pretensions of the ministers have changed all, have subverted all. If I should deny, that, for the last twelve years, the English government has given the most fatal direction to the affairs of the colonies, and that its measures towards us savor of tyranny, I should deny not only what is the manifest truth, but even what I have so often advanced and supported. But is there any doubt that it already feels a secret repentance? These arms, these soldiers, it prepares against us, are not designed to establish tyranny upon our shores, but to vanquish our obstinacy, and to compel us to subscribe to conditions of accommodation. In vain is it asserted

that the ministry will employ all means to make themselves quite sure of us, in order to exercise upon us, with impunity, all the rigor of their power; for to pretend to reduce us to an absolute impossibility of resistance, in cases of oppression, would be, on their part, a chimerical project. The distance of the seat of government, the vast extent of intervening seas, the continual increase of our population, our warlike spirit, our experience in arms, the lakes, the rivers, the forests, the defiles which abound in our territory, are our pledges that England will always prefer to found her power upon moderation and liberty, rather than upon rigour and oppression. An uninterrupted succession of victories and of triumphs could alone constrain England to acknowledge American independence; which, whether we can expect, whoever knows the instability of fortune can easily judge.

"If we have combated successfully at Lexington and at Boston, Quebec and all Canada have witnessed our reverses. Every one sees the necessity of opposing the extraordinary pretensions of the ministers; but does every body see also that of fighting for independence?"

"It is to be feared, that, by changing the object of the war, the present harmony will be interrupted, that the ardour of the people will be chilled by apprehensions for their new situation. By substituting a total dismemberment to the revocation of the laws we complain of, we should fully justify the ministers; we should merit the infamous name of rebels, and all the British nation would arm, with an unanimous impulse, against those who, from oppressed and complaining subjects, should have become all at once irreconcilable enemies. The English cherish the liberty we defend; they respect the dignity of our cause; but they will blame, they will detest, our recourse to independence, and will unite with one consent to combat us.

"The propagators of the new doctrine are pleased to assure us, that, out of jealousy towards England, foreign sovereigns will lavish their succours upon us, as if these sovereigns could sincere by applaud rebellion; as if they had not colonies, even here in America, in which it is important for them to maintain obedience and tranquillity. Let us suppose, however, that jealousy, ambition or vengeance, should triumph over the fear of insurrections; do you think these princes will not make you pay dear for the assistance with which they flatter you? Who has not learnt, to his cost, the perfidy and the cupidity of Europeans? They will disguise their avarice under pompous words; under the most benevolent pretexts they will despoil us of our terri-

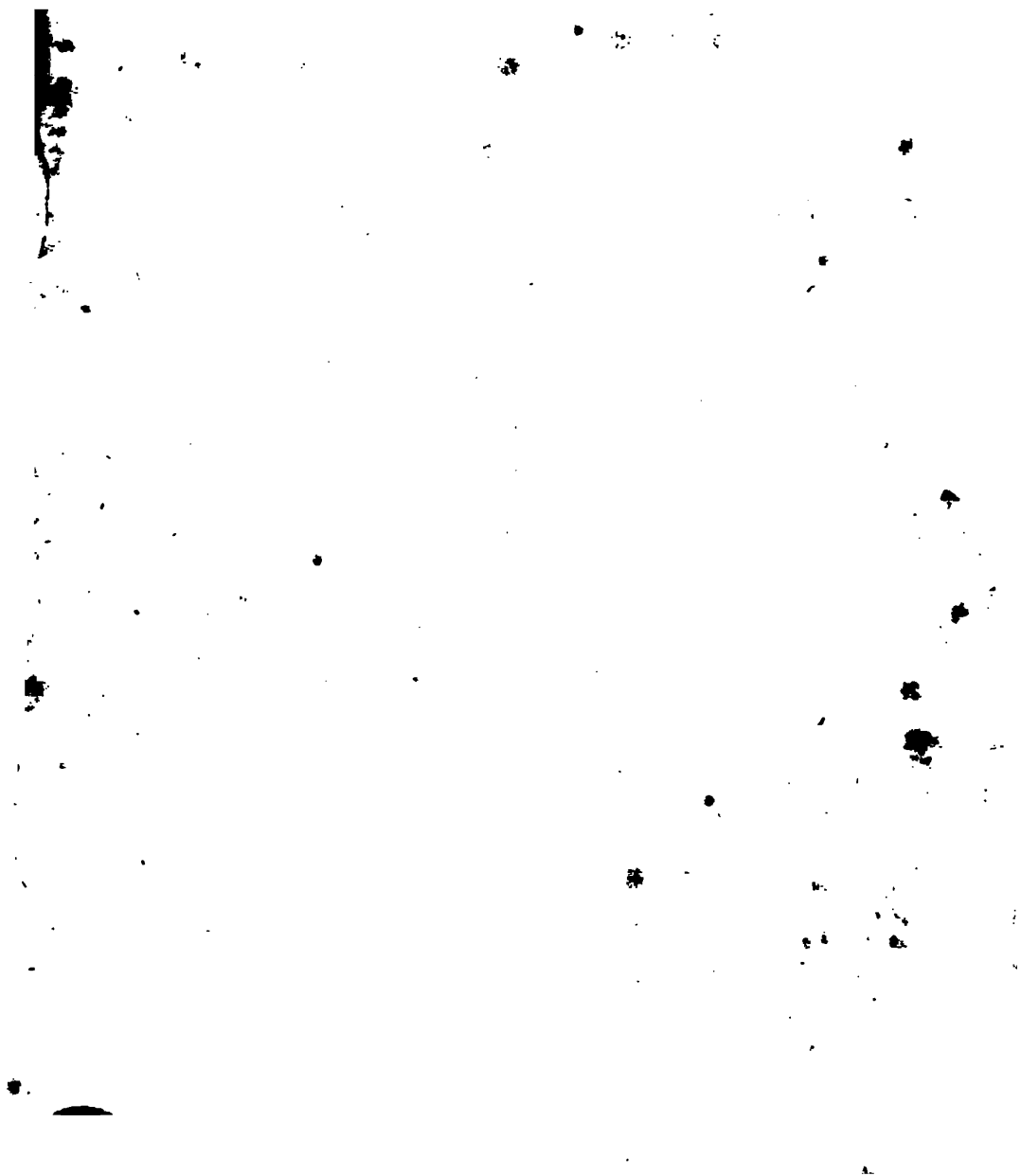
tories, they will invade our fisheries and obstruct our navigation, they will attempt our liberty and our privileges. We shall learn too late what it costs to trust to those European flatteries, and to place that confidence in inveterate enemies which has been withdrawn from long tried friends.

"There are many persons who, to gain their ends, extol the advantages of a republic over monarchy. I will not here undertake to examine which of these two forms of government merits the preference. I know, however, that the English nation, after having tried them both, has never found repose except in monarchy. I know, also, that in popular republics themselves, so necessary is monarchy to cement human society, it has been requisite to institute monarchical powers, more or less extensive, under the names of *archons*, of *consuls*, of *doges*, of *gonfaloniers*, and finally of *kings*. Nor should I here omit an observation, the truth of which appears to me incontestable: the English constitution seems to be the fruit of the experience of all anterior times; in which monarchy is so tempered, that the monarch finds himself checked in his efforts to seize absolute power; and the authority of the people is so regulated, that anarchy is not to be feared. But for us it is to be apprehended, that when the counterpoise of monarchy shall no longer exist, the democratic power may carry all before it, and involve the whole state in confusion and ruin. Then an ambitious citizen may arise, seize the reins of power, and annihilate liberty forever; for such is the ordinary career of ill-balanced democracies, they fall into anarchy, and thence under despotism.

"Such are the opinions which might have been offered you with more eloquence, but assuredly not with more zeal or sincerity. May heaven grant that such sinister forebodings be not one day accomplished! May it not permit that, in this solemn concourse of the friends of country, the impassioned language of presumptuous and ardent men should have more influence than the pacific exhortations of good and sober citizens; prudence and moderation found and preserve empires, temerity and presumption occasion their downfall."

The discourse of Dickinson was heard with attention; but the current flowed irresistibly strong in a contrary direction, and fear acting upon many more powerfully even than their opinion, the majority pronounced in favor of independence. The deputies of Pennsylvania were accordingly authorized to return to congress, and to consent that the confederate colonies should declare themselves free and independent states.

FINIS.







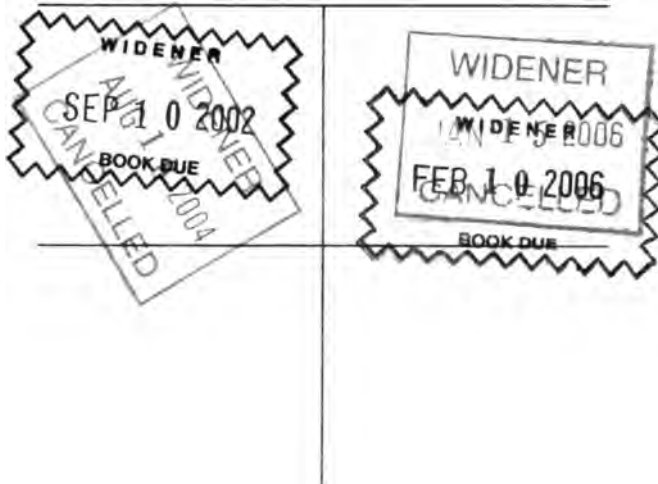




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